

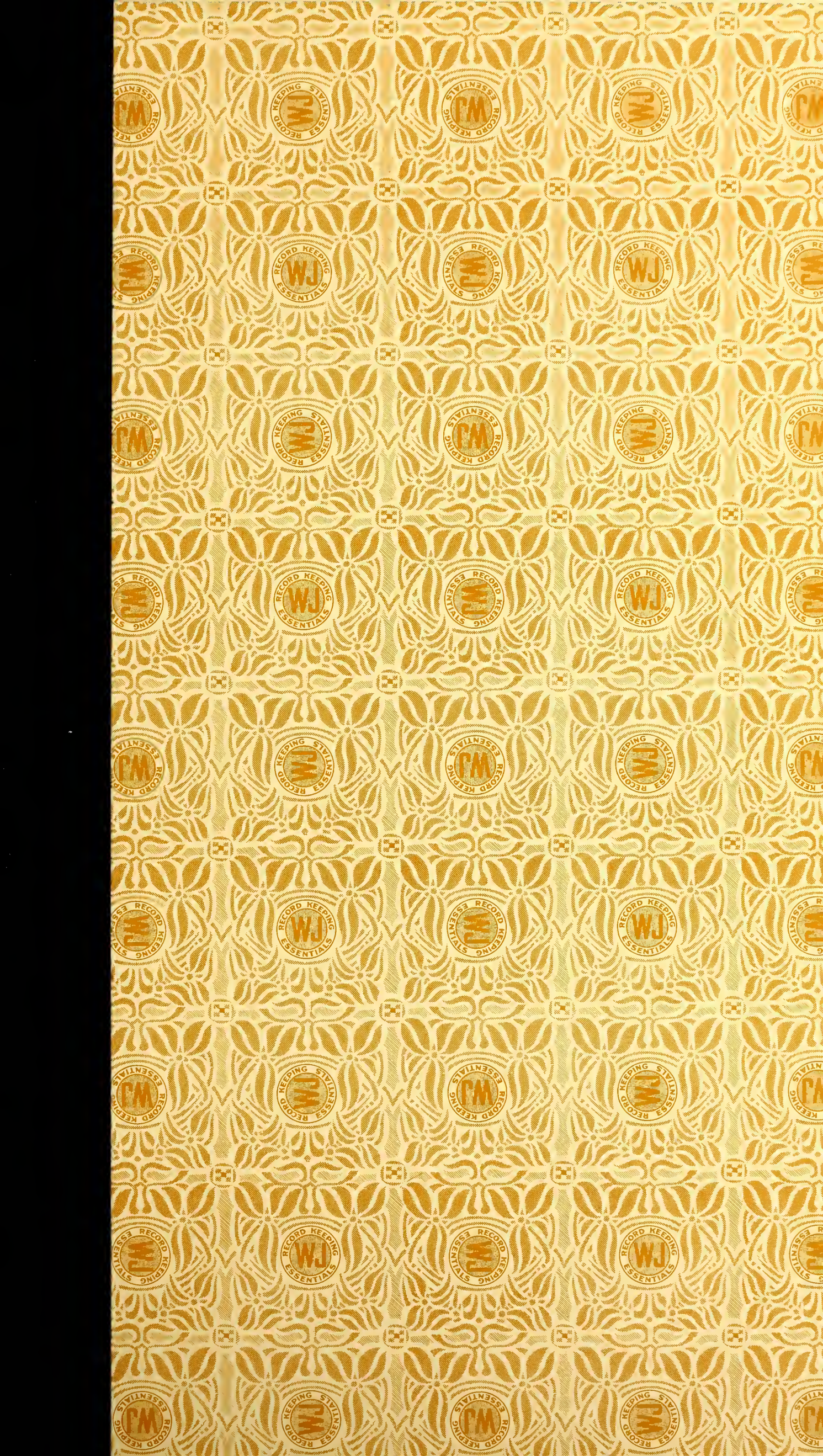


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**FORT WAYNE REDEVELOPMENT COMMISSION
PUBLIC HEARING
31 January 2008**

TIME: 4:00 p.m.

PLACE: Room 128, City County Building, One East Main Street, Fort Wayne Indiana

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:03 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Thom Oberfell
Judi Wire
Casey Cox (absent)

STAFF PRESENT: Greg Leatherman, Executive Director
John Wallace, Assistant Redevelopment Director
Tom Cain, Urban Designer
Sharon Feasel, Redevelopment Specialist
Jim Lindsay, Redevelopment Specialist
Gary Lyman, Brownfield Manager
Julie Sanchez, Redevelopment Specialist
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet

OTHERS PRESENT: None to speak

NEW BUSINESS

Those speaking in favor of a proposed lease by the Fort Wayne Redevelopment Commission of approximately 2.65 acres of real estate owned by the Norfolk Southern Corporation, generally described as east of Fairfield Avenue and south of Baker Street, all in the City of Fort Wayne, Wayne Township Indiana, the purpose of the lease (approximately 18 month term) is to provide a staging area and an equipment parking area for Harrison Square mixed-use development project.

Mr. Guerin asked if there was anyone present to speak in favor of the proposed lease. There were no responses. Mr. Guerin asked two more times if there was anyone speaking in favor of the proposed lease. Again, there were no responses.

Those speaking against a proposed lease by the Fort Wayne Redevelopment Commission of approximately 2.65 acres of real estate owned by the Norfolk Southern Corporation, generally described as east of Fairfield Avenue and south of Baker Street, all in the City of Fort Wayne, Wayne Township Indiana, the purpose of the lease (approximately 18 month term) is to provide a staging area and an equipment parking area for Harrison Square mixed-use development project.

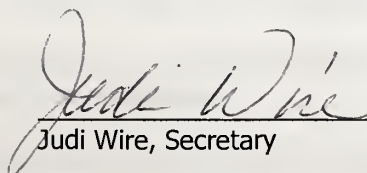
Mr. Guerin asked if there was anyone present to speak against the proposed lease. There were no responses. Mr. Guerin asked two more times if there was anyone speaking against the proposed lease. Again, there were no responses.

OLD BUSINESS

None

ADJOURNMENT Motion to adjourn by Mr. McElhoe; seconded by Ms. Wire. Meeting adjourned at 4:07 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

THE HISTORY OF THE

REIGN OF

CHARLES THE FIRST

BY

JOHN

WILKINS

OF

THE UNIVERSITY OF OXFORD

IN TWO VOLUMES

LONDON

1680

Printed by

W. B.

THE HISTORY OF THE REIGN OF CHARLES THE FIRST, BY JOHN WILKINS, OF THE UNIVERSITY OF OXFORD, IN TWO VOLUMES. LONDON, 1680. Printed by W. B.

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FORT WAYNE REDEVELOPMENT COMMISSION
Special Meeting
January 31, 2008

Mayor Tom Henry welcomed the members of the Redevelopment Commission. He noted the member who served during past session – Karen Goldner, Quinton Dixie and David Wright. The Mayor wanted to thank each of these past members for their contributions to the Redevelopment Commission. The Mayor welcomed Judy Wire and Thom Obergfell as new members of the Commission and welcomed back Christopher Guerin and Steve McElhoe as returning members. He noted the impressive job that the Redevelopment Commission has done in the past to improve the City.

TIME:	Immediately following the Public Hearing
PLACE:	Room 128, City County Building, One East Main Street, Fort Wayne Indiana
CALL TO ORDER:	Mr. Guerin called the meeting to order at 4:08 p.m.
ROLL CALL:	Christopher Guerin Steve McElhoe Thom Obergfell Judi Wire Casey Cox (absent)
STAFF PRESENT:	Greg Leatherman, Executive Director John Wallace, Assistant Redevelopment Director Tom Cain, Urban Designer Sharon Feasel, Redevelopment Specialist Jim Lindsay, Redevelopment Specialist Gary Lyman, Brownfield Manager Julie Sanchez, Redevelopment Specialist Joanne Reising, Administrative Assistant
COUNSEL PRESENT:	John Wernet
OTHERS PRESENT:	None to speak
APPROVAL OF CLAIMS:	Motion to approve Claims of November 2007 by Mr. McElhoe; seconded by Ms. Wire. Motion approved unanimously
APPROVAL OF MINUTES	Motion to approve 20 December 2007 Special Meeting by Mr. Guerin; seconded by Mr. McElhoe. Motion carried unanimously

NEW BUSINESS

Mr. Guerin read a commentary he prepared regarding a comment made last week concerning the Redevelopment Commission: "I was very disappointed to hear Councilman Tom Smith accuse the Redevelopment Commission of a lack of transparency last week. His use of the word "transparency" suggests that something was kept from the Public or that the Public was lied to. The actions of the Redevelopment Commission and staff relative to Harrison Square have been thoroughly reviewed both nationally and by State agencies and have been endorsed as appropriate. Every question asked by the Council was answered; every question asked by outside entities was answered. It doesn't bother me personally, these accusations, but I know they are hurtful to the hard-working, dedicated and professional staff of the Fort Wayne Redevelopment Commission. Either Mr. Smith should make his accusations clear and specific or he should cease trying to undermine the public trust with his insinuations." A transcript of the statement was distributed to those present.

Election of Officers

President – Mr. McElhoe nominated Christopher Guerin as President of the Redevelopment; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Vice President – Ms. Wire nominated Steve McElhoe as Vice-President; seconded by Thom Obergfell. Motion carried unanimously without further discussion

Secretary – Mr. McElhoe nominated Judi Wire as Secretary; seconded by Thom Obergfell. Motion carried unanimously without further discussion.

Mr. Leatherman directed the Redevelopment Staff to introduce themselves to the Commission. Mr. Guerin suggested that the new Commissioners receive a tour of the Redevelopment projects around the City to learn about and see the projects that are happening under the direction of the Redevelopment Commission.

Resolution 2008-01

Approving a contract for professional legal services with Carson Boxberger

Mr. Leatherman noted that each year the Redevelopment Commission must hire legal counsel. John Wernet of Carson Boxberger has been counsel for several years and has served the Commission well. The year's rate is \$175.⁰⁰ per hour; last year's rate was \$165.⁰⁰. For five (5) years before that the rate was \$150.⁰⁰. Motion to approve by Mr. McElhoe; seconded by Mr. Obergefell. Motion carried unanimously without further discussion.

Resolution 2008-02

Allowing the designation of property as an Economic Revitalization Area for Vitafoam, Inc. in the Baer Field Economic Development Area

Mr. Lindsay stated that one of the new members of the Commission asked about Redevelopment Commission policy on tax abatements and he noted that he included the policy Resolution with the information distributed to the Redevelopment Commission members. The policy resolution states that, by statute, this body must consider a tax abatement application (formally known as a designation for an Economic Revitalization Area) located in an Economic Development Area or Urban Renewal Area. The Redevelopment Commission has allocation areas in various locations around the City. Each of the new Economic Development Areas or Urban Renewal Areas, when created, is concurrently designated as an Allocation Area. The State requires that a Redevelopment Commission review and approve applications for tax abatements before it is presented to Common Council for their consideration. The Redevelopment Commission must determine if any debt service or financing would be endangered by the loss of tax increment in granting the tax abatement.

Mr. Lindsay read a statement prepared by Elissa McGauley as follows: Vita Nonwovens is a High Point North Carolina-based Company with operations on Avionics Drive in Fort Wayne in the Baer Field Economic Development Area. They submitted an Economic Development Revitalization Area Designation for personal property on December 28 2007. The operation has been in business in Fort Wayne since 2003. They are a manufacturer of technical and specialty non-woven materials for the air filtration, automotive, industrial, furniture and bedding markets and will be purchasing approximately \$4.99 million of new manufacturing equipment. This new equipment line will enable the company to expand its market with new product offerings. Twenty-two (22) new full-times jobs are expected to be created by June 2008 as a result of this investment. The average annual wage for the new jobs is \$24,023.⁰⁰, which is 197% of the Federal Minimum Wage. The company will also retain 25 full-time jobs; the average annual wage for the retained jobs is \$25,804.⁰⁰ or 212% of the minimum Federal wage. Mr. Lindsay noted that if this Resolution is passed, it will proceed to Common Council for a Public Hearing and determination. Mr. Obergefell asked about who audits this job creation. Mr. Lindsay answered the Ms. McGauley has a methodical process to determine if the criteria set forth by Common Council is met for all companies that receive tax abatements. Mr. Leatherman noted that Ms. McGauley does an inventory at the end of each year for each company and follow-up to access their progress. In the abatement process, the Assessor will determine if the money has been invested in the equipment. Mr. Wernet also noted that each Grantee of Tax Abatement is annually required to submit statements of benefits and statements of job creation. If these forms are not received, the benefit does not engage. Motion to approved by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2008-03

Allowing the designation of property as an Economic Revitalization Area for B. S. Fort Wayne I, LLC in the Jefferson Economic Development Area

Mr. Lindsay noted that this entity is one of the developers of the Harrison Square mixed-use project. The applicant is B.S. Fort Wayne I, LLC, which is sub-entity of Barry Real Estate, Atlanta GA. He then read Ms. McGauley's statement: An Economic Development Designation application was received Community Development Division staff on January 28 2007 for "The Harrison" residential-retail project at Harrison Square. This \$28 million project is located in an allocation area, specifically the Jefferson Illinois Economic Development Area, Amendment 2. The applications for Economic Revitalization Area designations located in allocation areas must be reviewed and approved by the Redevelopment Commission. Redevelopment Policy – the Redevelopment Commission is required to review this application because it is located in an allocation area. Through the Commission's policies, the following criteria are used to evaluate Economic Revitalization Area designation applications for real property improvements. The Commission will determine whether the projected real estate property tax revenues created by the project exceed the cost that may be needed to induce the project. The Commission will determine whether projected property tax revenues created by the project plus other existing revenues applicable within the allocation over a 3, 6 or 10 year period will equal or exceed those

revenues needed to either meet the debt service on the existing or proposed bond issue or the Redevelopment Sinking Fund to correct an infrastructure problem as identified by the Economic Development Plan or Urban Renewal Plan as it applies to that project's site location. City Policy – Over the years, the Community Development Division has processed Economic Revitalization Area designations for both retail and commercial/residential projects. This application is unique. Fort Wayne Common Council has never received an application for a mixed-use facility that combines both retail and residential uses on one application. Fort Wayne Common Council Policy for real property improvements in Economic Development Target Areas is a 10-year deduction. Jobs – 125 full-time equivalent jobs are projected to be created as a result of the 24,000 square foot retail development. Over \$1.5 million in payroll is expected to be created from those jobs. The average annual wages are calculated to be over \$12,407.⁰⁰, which is 102% of the Federal Minimum Wage, excluding those projected jobs in the food service area; those average annual wages are \$19, 812.⁰⁰, which is 163% of Federal Minimum Wage. A discussion of the residential Homestead Credit ensued. Mr. Wernet noted that further investigation into the matter will determine if these units are eligible for Homestead Credits and he will get an answer for the Commission members. Motion to approve by Ms. Wire; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

Resolution 2008-04

Establishing a general policy regarding retainage for construction contracts and construction related contracts approved by the Commission

Mr. Lindsay stated the State changed the Statute regarding retainage withheld from construction contracts. The main part of the new law states that no more than 5% of construction contracts can be held as retainage. Contracts over \$100,000.⁰⁰ were mandated to have retainage withheld in the past. The State has allowed the cap to be raised to \$200,000.⁰⁰. Staff recommends that the Redevelopment Commission retain the \$100,000.⁰⁰ level for withholding retainage. Retainage can be held in one of two ways. Ten percent (10%) of the work performed can be retained until 50% of the contract is completed or 5% of the total contract can be held through the course of the entire payment process. This puts in place a flexible and conforming policy with State Statute. Motion to approve by Ms. Wire; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

Resolution 2008-05

Approving a proposed lease between Norfolk Southern Corporation, as Lessor, and the Redevelopment Commission, as lessee, for land adjacent to the Jefferson Illinois Economic Development Area, as amended, and ratifying the public hearing on the proposed lease pursuant to IC 36-7-14-25.2 and ratifying the publication of notice of the public hearing

Mr. Leatherman stated that several months ago, as plans for Harrison Square began, it was obvious that construction would be taking place on a very "tight" site and it would be necessary to make plans for early arrivals of materials for the hotel, ballpark, parking deck, or sections of pre-fabricated concrete. With the tight construction area, staff recognized that additional storage areas were needed. Staff approached Norfolk Southern and they agreed to work with the Commission to provide the needed storage. Mr. Leatherman distributed a map designating the boundaries of the staging area. The lease amount would be approximately \$1,100.00 per month to rent the 2.65 acres. Mr. McElhoe asked about purchasing the property for future development. Mr. Leatherman stated that Norfolk Southern was very easy to deal with concerning rental of the property but not easy to deal with when asked about purchasing the property. Mr. Leatherman noted that this resolution will be presented to Common Council for their approval. Motion to approve by Ms. Wire; seconded by Mr. Obergfell.

Resolution 2008-06

Approving a contract for professional architectural services with HNTB Corporation

Mr. Leatherman stated that staff has been working with the Storm Sewer Engineering Department to come to terms with what it will take to keep the baseball stadium site dry regarding storm water and ground water. The problems are different than any project undertaken by any City entity. How much stored water can be retained on a wet day is different for the ball field as opposed to an occupied structure such as the Library. Staff has worked with Mark Gensic of the Stormwater Department to identify an expert that could guide the City through the correct sizing of the stormwater pumps to accommodate this site. Mark Gensic strongly suggested HNTB from Indianapolis. HNTB has come to Fort Wayne twice and determined the scope of their services. They have agreed to complete the work in two phases. The Utilities have agreed to transfer up to \$90,000.00 to the Commission to help pay for these phases. It is not actually Redevelopment Commission funds that will be used, but the Commission will contract the services. The first phase will institute five or more wells on the site and monitor the groundwater that flows to the site after the installation of the slurry walls. The calculation of the groundwater flowing to the site underground will then determine the size of the stormwater and other pumps needed. The second phase is \$28,000.⁰⁰ to calculate the pump design. Mr. Leatherman noted that the system that is being designed will have back up power and generation plus telemetry to monitor the condition of the playing field. The field will be monitored by City Utilities. That is one of the reasons the system will be built to standards that

City Utilities would be willing to accept and operate. The design will enable a 100-year water event to be pumped out within 24 hours. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2008-07

Approving a contract for professional architectural services with The LandPlan Group, LLC

Mr. Leatherman stated that this agreement finalizes the terms of a contract that was authorized previously by the HOK agreement in 2007. Subsequently, the Agreement has been replaced with permanent financing. This contract is the last of the series from surveyors, geotechnical services and civil engineers that was begun in 2007. The LandPlan Group is designing all the surface and streetscape work which includes the concourse, sidewalks, streetlights, street planning, and streetscapes for the entire project. Mr. Leatherman also noted that the selection process for these professional services was a complete listing of all the firms within the area, interviews with potential contactors and then proposals were requested. Selections were recommended and the final selection was made by staff with the concurrence of this body. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

2008-08

Approving a budget modification (increase) for the Calhoun Street Streetscape project, as modified

Mr. Wallace stated that the overall project amount needs to be increased to \$740,000.⁰⁰. The largest share of project cost overruns over the initial budget has been largely centered on the underground activates associated with the storm sewer installation. Redevelopment agreed to accommodate the City storm sewer installation by the Development Services Department as part of the project. The Redevelopment side of the project has been running well in terms of any overages for the above ground changes that include sidewalk installation, street lighting, etc. The Redevelopment overages have amounted to approximately \$10,000.⁰⁰. Unfortunately, the storm sewer side has encountered an amazing amount of underground obstructions. Those obstructions have been in the form of former building foundations, various underground storage utility tanks, vaults, unknown utility lines and other impediments. All those obstructions caused not only delays but redesign of the storm sewer system. That included lines being rerouted from where they were originally proposed. One of the largest pieces in this latest addition of costs has been the added cost of milling and repaving the intersections at Calhoun at Washington and Jefferson. That piece alone added \$23,000.⁰⁰ to the Development Services cost of the project. About 75% of the overage costs will be assessed back to Development Services. Because the project costs were co-mingled under this contract, the Redevelopment Commission must adjust our contract amount to reflect the overages on the utility side of the project. The project has included additional storm sewer installation and additional connections to another existing storm sewer to facilitate storm drainage in that block. Mr. Cain noted that the new storm sewer is designed so that there can be a full separation in the future. Mr. Wallace stated that the Utilities Departments have been kept fully informed and have given opportunities to review estimates and field changes. There don't seem to be any problems with the Utilities agreeing to cover those costs. Mr. Leatherman noted that the Technical Services Department inspected the work and kept accurate field notes for the time spent inspecting the stormwater project and separately the time spent inspecting the streetscape project. That documentation should take care of any questions concerning what department will pay for particular costs. Motion to approve by Ms. Wire; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

2008-09

Approving a contract with Avant Group for site investigation of soils located in Headwaters Park, specifically at the site of the former Hubcap Express

Mr. Leatherman noted that the site was remediated in 1993. He stated that in the early 1990's the Redevelopment Commission was hired by the Board of Public Works to act as an agent to acquire real estate for Headwaters Park, to clear the site and the remediate any environment issues that were there. One of the sites identified as contaminated was the former Hubcap Express which was previously a gas station. A great deal of work was performed including soil removal, bioremediation of soils, installation of groundwater monitoring wells, and core monitoring over a long period of time to determine the condition of the contamination and whether it was moving. Correspondence was received from IDEM to the Redevelopment Department that appeared to be a release from further activities, i.e. monitoring and on-going sampling. IDEM has been reviewing old files and they decided that the closure documentation was not sufficient to close out the site. IDEM contacted the Redevelopment Department and asked for more investigations. Mr. Lyman stated that damaged monitoring wells were replaced during the Summer 2007. Soil borings were also taken to identify any problems. The results indicated that there were some sections that are heavily contaminated with gasoline. Those results were sent to IDEM, who responded that further delineation was needed to identify the parameters of the contaminations. The protocol will now require additional monitoring wells and continued sampling. There are options for remediation, including adding "bugs" to the contaminated sites. At this point in time, staff is optimistic because it doesn't appear that the contamination is moving toward the river or crossing Clinton Street. Staff is hoping that the

worst that will happen would be deed restrictions on the property. Motion to approve by Mr. Obergfell; seconded by Ms. Wire. After a discussion of the exact location of the site, the motion carried unanimously without further discussion.

Resolution 2008-10

Declaratory Resolution – Amendment I, East Illinois Road Economic Development Area

Mr. Leatherman stated that this site is now under construction for the development of Orchard Crossing at the intersection of Illinois and Thomas Roads. The anchor of the development will be a Target Store. Mr. Leatherman reminded the Commissioners of public improvements, including land acquisition, that the Redevelopment Commission helped fund in 2007. Staff looked at the area in terms of commercial development and recognized that the area needed to be included in an expanded Economic Development Area to enable a number of improvements now delineated in the plan. The plan needs to be presented to the Fort Wayne Redevelopment Commission and a Declaratory Resolution adopted before the March 1, 2008 assessment date for purpose of creating a tax allocation area. The determination was made several months ago that because of the workload of Harrison Square, this Declaratory Resolution would be brought before the Redevelopment Commission in 2008. Additionally staff concluded that the new Redevelopment Commission and new Mayor should give their approval before proceeding. In discussions with legal counsel, it was determined that the site of the former K-Mart, and now the Burlington Coat Factory, should be expanded to include this new development. The current Economic Development Area's (East Illinois Road Economic Development Area) western boundary is Thomas Road and is contiguous to the East Illinois Road Economic Development Area, Amendment I. Mr. Lindsay stated that the State sets forth the process for amending an existing Economic Development Area, which is the same by Statute as creating a new area. First the Fort Wayne Redevelopment Commission adopts a Declaratory Resolution that delineates the boundaries of the proposed amendment and describes the projects envisioned therein. If approved by the Fort Wayne Redevelopment Commission, the Declaratory Resolution will be presented to the Plan Commission for consideration. That Statute requires that the Plan Commission determine conformity with the Master Plan of Development for this City. If approved, Staff will present the Amendment to the Plan Commission at its February 2008 Business Meeting. Thereafter, the Amendment will be considered by Common Council for approval. If Council approves the Amendment, the Redevelopment Commission will hold a public hearing, provide notice to the appropriate taxing units and agencies involved with planning and zoning. These include the Plan Commission, Board of Zoning Appeals, Parks Board, Board of Public Works, and Allen County Commissioners. The Redevelopment Commission may, thereafter approve, modify and approve or rescind the Amendment. The plan envisions enhancements and improvements to the two key intersections, a pedestrian and urban trail linkage, and the replacement of a culvert in the area. Longer term improvements might include improvements along Thomas Road. A discussion of the residential area on Lagro and the Lawrence Drain ensued. As part of the adoption of an Economic Development Area and the development of the area, there will be an increase in the City's property tax base and the retail and construction jobs that will be created will also add to the city's employment. Ms. Wire noted that in Section G-5 of the plan, the wording needs to be changed to read as follows: "The Plan conforms to the stated objects and guidelines set forth in the joint City County Comprehensive Plan (Plan-It Allen). The plan also refers to outer rings and the City no longer has rings and that needs to be struck from the plan. Motion to approve by Mr. McElhoe with noted changes; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2008-11

Approving a contract with ALMET, Inc. for the Harrison Square Structural Steel Package

Mr. Leatherman stated that Commissioner McElhoe and Redevelopment Commission staff received and opened bids on 30 January 2008. Three bids were opened. The only two local companies that could submit a bid were present with bids, as well as a firm from Indianapolis. The engineer's estimate for the materials and construction was \$1.8 million. The bids were on target with that estimate. The bids have been reviewed and ALMET, Inc. of Fort Wayne is the lowest and most responsive bidder. Staff recommends awarding the contract to ALMET, Inc. in the amount of \$1.574 million as the base bid. The steel is essentially the superstructure onto which everything else is attached. The structure is metal studs with drywall attached as part of this package. All steel suppliers notified contractors that there is a price increase schedule in approximately two months. These proposals beat that price increase. There will be a second price increase soon. The contractors are "hungry" and the steel prices have not increased yet, so the timing of the project is excellent. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

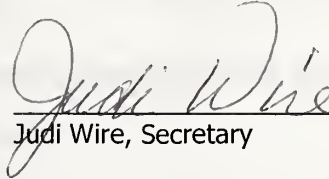
OTHER BUSINESS

- Meeting Time – Mr. Guerin stated that the Redevelopment Commission meetings are scheduled for the third Monday of each month beginning at 4:30 p.m. He suggested that the meetings begin at 4:00 p.m. The members agreed to begin all meetings at 4:00 p.m. Notices will be sent to the media and interested parties.

- Next Bids for Harrison Square – There will be only one more set of bids to receive, but that package will include 14 general contracts.

ADJOURNMENT – Motion to adjourn by Mr. McElhoe; seconded by Mr. Obergfell. Meeting adjourned at 5:50 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
February 18, 2008

TIME: 4:00 p.m.

PLACE: Room 128, City County Building, One East Main Street, Fort Wayne Indiana

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:02 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Thom Obergfell
Judi Wire
Casey Cox

STAFF PRESENT: Greg Leatherman, Executive Director
John Wallace, Assistant Redevelopment Director
Sharon Feasel, Redevelopment Specialist
Jim Lindsay, Redevelopment Specialist
Gary Lyman, Brownfield Manager
Elissa McGauley, Economic Development Specialist
Julie Sanchez, Redevelopment Specialist
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet

OTHERS PRESENT: Craig Berndt, Development Services, City Utilities
Bruce Watson, Fort Wayne Metals
Karen Spake, CB Richard Ellis, Sturges
Bill Cupp, CB Richard Ellis, Sturges

APPROVAL OF CLAIMS: Motion to approve Claims of December 2007 by Mr. McElhoe; seconded by Ms. Wire. Motion approved unanimously

APPROVAL OF MINUTES Motion to approve 31 January Special Meeting by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously

Mr. Obergfell asked for an explanation of all the funds that make up the Claims Report. Mr. Leatherman stated that staff would provide that at a future meeting.

NEW BUSINESS

Resolution 2008-12

Allowing the designation of property as an Economic Revitalization Area for Quoin Enterprises in the Baer Field Economic Development Area

Ms. McGauley stated that Fort Wayne Metals (Quoin Enterprises) has completed several expansions in the airport area. They are applying for both real estate and personal property tax abatement for improvements they plan to make at 9733 Ardmore Avenue. Those improvements will include interior and exterior improvements to existing buildings at that site as well the purchase of new manufacturing, research & development, information technology and logistical distribution equipment at their operation in Fort Wayne. About \$2 million of the improvements will be for real estate and \$3 million will be for equipment. They plan to purchase equipment beginning in 2008 and continue through 2010. The majority of the real estate improvements will be happening in 2008 and 2009. As a result of the project, they intend to create approximately 10 full-time jobs at an average salary of \$40,000.⁰⁰. At this time, the company has 345 full-time employees and 7 part-time jobs at their combined facilities. The average salary for those jobs is approximately \$44,000.⁰⁰ per year. Ms. McGauley noted that applications for Economic Revitalization Areas designations for tax abatement located in Redevelopment Areas must be reviewed by the Redevelopment Commission before they can be presented to Common Council for their recommendation. Mr. Lindsay stated that this project includes new development that compliments the Area. Tax increment that might ensue from their development will not impact any existing debt service obligations. Staff's recommendation would be for approval. Mr. Cox asked about commitments made by employers concerning job creation and how that job creation is monitored. Ms. McGauley stated that since Common Council is the designating body for tax abatements and has the ultimate decision as to whether an abatement is granted, Indiana Code requires those companies to file a "Compliance with Statement of Benefits" on an annual basis for every year of the tax abatement. The form asks for the amount of investment as well

as the number of jobs created and retained. Unless there is some wording specifically in the agreement or contract, Indiana Code does not allow a tax abatement to be pulled. An abatement ceases to exist if there has been a falsification of information. The company's tax abatement cannot be rescinded because an economic downturn or some force beyond their control. Fort Wayne Common Council's goal has been to allow some flexibility within those numbers and allow 75% of local policies. The reviewing factors include job creation, job retention and investment. The companies that receive tax abatements must complete the forms sent May within 45 days. Those forms are returned to Common Council. Motion to approve by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2008-13

Approving a Brownfield Assistance Grant for KERNs, Inc. for the property at 7220 South Anthony.

Mr. Lyman stated that KERNs, Inc. is considering purchasing property at 7220 South Anthony, adjacent to an abandoned gasoline station. KERNs has already conducted a Phase I study that suggests there is a strong potential for groundwater contamination resulting from the operation of the gasoline filling station. KERNs has asked for assistance for a Phase II investigation that would delineate or define any contamination that may be on the site. Assuming the former Clark gas station was a source of contamination, the potential owner would report the findings to IDEM. The Brownfield Grants are reimbursable in the amount of 80% of the actual costs of Phase I and II. Mr. Leatherman noted that at the time the Brownfield Program was initiated, the philosophy was to provide a significant portion of investigative dollars without knowing the future of the property so to establish a record of contaminated properties. Phase I investigations include record searches and examination of aerial photo and a walk of the property. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Stormwater Issues at Southtown Centre – Craig Berndt, Development Services

Mr. Berndt stated that City Utilities is completing a group of stormwater improvements at Southtown Centre. Some of the improvements will be on land owned by the Redevelopment Commission. At one point, the Redevelopment Commission owned all of Southtown Mall, excluding some land owned by Mr. Eskanzi of Mall Development Group where 5/3 Bank is located and a vacant building near the entrance on South Anthony Blvd. Lot 13 will be part of a City Utilities project. When the site was redeveloped in 2004, a street was relocated. The City needs to do some stream/ditch restoration in the area. All of the streets, ditches and Safety Village were conveyed to the Board of Public Works by the Redevelopment Commission. Projects include extending the Greenway Trail from Tillman Park to north side of a ditch and then go around SouthBridge Apartments. Development Services will be optimizing the existing stormwater detention basin including enlarging a culvert under a bridge and replacing the existing bridge. They will also replace the bridge near 5/3 bank for the same reasons. Preparations are being contemplated for an access bridge. A second bridge is being contemplated for the Redevelopment Commission's Lot 13. The last portion of the design is a detention basin at the bottom of Lot 13. Because it has never been developed, the lot will need detention when it is. As part of the completed stream preparations, City Utilities will need to sign an agreement with the Army Corps of Engineers and IDEM to promise to not do any more work in that section of the stream. Once that is built, anyone developing that site will not have to build any more detention. The estimate to complete the 9 1/2 acre detention basin is \$74,000.⁰⁰. The projects that will definitely be completed are the stream and the detention basin. Part of the restoration includes planting trees on each side of the ditch. Within the ditch, riffles will be created to help with the restoration. Mr. Berndt will need approval from the Redevelopment Commission to build the detention pond. The Redevelopment Commission will have to sign an agreement with Development Services that states the Commission will maintain the detention pond until it is purchased. The timeline for completion is before the end of June, so bids will be let sometime in April. A discussion of previous ditch restoration and the River Greenway ensued. Mr. Wernet stated that the Redevelopment Commission will need to have a signed resolution regarding the Stormwater Agreement. Mr. Guerin noted that Mr. Berndt had done a commendable job coordinating the redevelopment of Southtown Centre during his tenure with the Redevelopment Commission.

OTHER BUSINESS

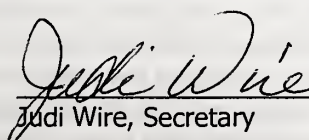
- **Summit Park II** – CB Richard Ellis, as broker. Karen Spake and Bill Cupp introduced themselves as the main representatives for the park and distributed the marketing materials developed. Mr. Lindsay informed the Redevelopment Commissioners about the development of Summit Park I in the mid-1980s and the Study commissioned by the City of Fort Wayne, Allen County Economic Development, Chamber of Commerce, Community Research Institute and the Redevelopment Commission that contributed to the development of Summit Industrial Park II. He also noted that the Summit Industrial Park II is "shovel ready" and has communication conduit along the rights-of-way. Ms. Spake noted that two prospects are looking at the Park, a data center and an unnamed project. Ms. Spake stated that she thought the size of the lots was a limiting factor. The market has taken a downturn since 2002. The types of businesses that have been buying lots

are trucking firms and firms that are locating adjacent to suppliers. Those are not the type of businesses that would consider locating in Summit Industrial Park II. Mr. Cupp noted that he thought most of the problems stemmed from the lack of users in the marketplace. He noted that the marketplace is very quiet right now. A discourse on the risks inherent in spec buildings ensued. Mr. Wernet noted that the Redevelopment Commission is reluctant to give incentives on a spec building until the type of tenant and the number of jobs created is defined. The spec building attached to the Trane expansion will receive incentives based on the stated criteria but those will be given at the time a tenant is engaged. Staff has stated that reducing the price per acre would not be acceptable because the City does not want to compete with the private sector. Mr. Leatherman noted that according to Rob Young of the Economic Development Alliance, the Redevelopment Commission created its own competition with the building of this park. When other developers saw the construction, they also decided to build additional parks and subsequently priced their lots under the asking price for lots in Summit II. Mr. Leatherman noted that by building the park to a higher standard for design and tenants, the Redevelopment Commission generated that competition. Much of the surrounding industrial space is full at this time. Mr. Young feels that if demand picks up, Summit Park II will be in a better position to attract some of the companies looking for space. Mr. Cox asked about the continuing maintenance costs for the Park and Mr. Lindsay responded that the upkeep of the park is part of a much larger contract under the jurisdiction of the City's Property Management Department. Mr. Lindsay also noted that the maintenance costs have dropped from approximately \$12,000.⁰⁰ to approximately \$6,000.⁰⁰ a year since incorporating the maintenance into the City Property Management's maintenance schedule. Mr. Wernet stated that the listing agreement with CB Richard Ellis has a one year term that will expire on March 31, 2008 and would automatically renew for one-year terms unless it is terminated at least 30 days in advance. The choice is to do nothing and the agreement will continue for another year or Staff could notify them before March 1 that the existing contract is terminated and enter into another agreement. Mr. Leatherman stated that he wanted to make sure the new Commission was in place before a decision was made on this Agreement. He noted that CB Richard Ellis/Sturges has always been professional and responsive. If there is a decision to entertain other brokers, action must be taken now so that Sturges will have sufficient notice. Mr. Leatherman stated that two years ago, Staff solicited qualified firms to make presentations. Three firms presented. A Committee sat in on those presentations and made the determination that CB Richard Ellis/Sturges was the preference of the three. There have been issues that were beyond the control of the brokers that inhibited them from being truly aggressive in marketing this property. The Redevelopment Commission has and will continue to hold out to the stated price and the Deed and Covenant Restrictions. Mr. Young continues to insist that there may be more future activity because of diminished competition in the general area. Staff recommendation is that CB Richard Ellis/Sturges be allowed to continue their marketing efforts for another year and commit to having a full report closer to the 2008 year end. That should give the Commission sufficient time to make a decision before March 2009. Mr. Obergfell stated that he understands the current market conditions but would be opposed to cutting the price and thus appearing to be subsidizing development. Mr. Cupp agreed and stated that he feels the economy is going through "tough times". Mr. Leatherman noted that everything in the Park is in place, including stormwater detention. Mr. McElhoe suggested a review in 6 months and the other Commissioners concurred.

- **Bid Opening Meeting – Thursday, 20 February, 3:00 p.m., Room 128** – Mr. McElhoe stated that he could be at the opening and Mr. Obergfell stated that he would like to be present also.
- **Claims Report** – Mr. Leatherman noted each fund and stated the sources of income for each fund. Mr. Obergfell would like to know the anticipated revenue for each Fund each year. If there is debt associated with the Fund, how that correlates with the incoming revenue. Mr. Leatherman stated that there would be a presentation at the next Regular Meeting.

ADJOURNMENT – Motion to adjourn by Judi Wire; seconded by Thom Obergfell. Meeting adjourned at 5:20 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION


Judi Wire, Secretary

FORT WAYNE REDEVELOPMENT COMMISSION
Special Meeting
March 6, 2008

TIME: 4:30 p.m.

PLACE: Room 810, City County Building, One East Main Street, Fort Wayne Indiana

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:32 p.m.

ROLL CALL: Christopher Guerin
Thom Obergfell
Judi Wire
Casey Cox (via telephone)
Steve McElhoe - absent

STAFF PRESENT: Greg Leatherman, Executive Director
Jim Lindsay, Redevelopment Specialist
Gary Lyman, Brownfield Manager
Julie Sanchez, Redevelopment Specialist
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet

OTHERS PRESENT: Jim Iddins – Weigand Construction
Adam Westgerdes – Weigand Construction

NEW BUSINESS

Resolution 2008-14

Approving a contract for Bid Package #14 (Hydraulic Elevators) for the Harrison Square Baseball Stadium project

Mr. Iddins stated that the initial elevator bid was approximately \$40,000.⁰⁰ above the estimate. While doing research with Schindler Elevator, one of the issues that became apparent was that they had figured six stops (floors), when only five were needed. When that change was made, the cost became approximately \$6,000.⁰⁰ below the estimate. Part of reason for this Special Meeting is that contractors are pouring the concrete foundations for the elevator pit. Mr. Iddins noted that only one bid was received although 3 contractors were personally contacted. He also noted that Schindler is also doing the elevator in the parking garage. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2008-15

Approving a contract for Bid Package #15 (Plumbing, Mechanical and Sheet Metal) for the Harrison Square Baseball Stadium project

Mr. Leatherman stated that at the time of the bid opening the engineering estimate was \$2.6 million; the apparent low bid was \$2.9 million. Mr. Iddins stated that in the initial bid there were some allowances. Weigand proposes eliminating all but \$50,000.⁰⁰ of those allowances from the contract. In researching several scope items with the low bidder, A. Hattersley & Sons offered scope changes that will be reviewed by HOK. Mr. Iddins feels that the original budget number is obtainable with those changes. Mr. Leatherman stated that some of the allowances will be more than taken care of by the contingency budget within the overall budget and these items might be a duplication of contingencies. Mr. Wernet noted that the bid awards will be for the full amount and negative change orders will be approved at subsequent meetings. Mr. Obergfell asked at what point would a re-bid of the package be appropriate. Mr. Wernet stated that any increase must follow the Change Order process for increases over 20%. There is no State law that addresses deducts to the bid. It is at the discretion of the Redevelopment Commission to determine if a re-bid should be done. The determining factor is if the Redevelopment Commission feels that the deducts would be at approximately the same costs for all bidders and Mr. Iddins feels the deducts would not significantly change the final altered bid. One of the reasons not to re-bid this contract has to do with timing issues. There are liquidated damages to be paid if other contracts would be delayed. The project coordinator believes that a re-bid of the contracts would require 3 to 4 weeks of redrafting by HOK plus 3 or 4 weeks for the re-bidding and more time for the award of contract. That would potentially cause a delay of 90 days. In a re-bid, there is never any assurance that the numbers will be lower. Historically, better numbers have been achieved by negotiating the contract with the winning bidder. Mr. Lindsay noted that in his tenure with the Redevelopment Commission, when bids have been rejected and re-bid,

including the redrafting of specifications, the bids increased in price. The mix of the bidders changed but the costs of the contract increased. Mr. Wernet stated that very rarely in re-bids are the numbers lower. He also noted that these kinds of negotiations happened with the Grand Wayne Center. Mr. Cox asked if the value engineering were hard cost savings. Mr. Iddins replied in the affirmative and this value engineering reduces the bidden costs. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2008-16

Approving a contract for Bid Package #17 (Electrical) for the Harrison Square Baseball Stadium project


Mr. Leatherman stated that this bid was opened with the original estimate of \$1,840,522.⁰⁰ and the apparent low bidder is \$3,225,348.⁰⁰ that makes the over budget number \$1,384,826.⁰⁰. Mr. Leatherman noted that part of the bid asked for a very substantial and an elaborate public address system for not only the ball park, but also in those areas outside the ball park. These included sound systems that would project beyond the center field wall to the mound areas where people might congregate that are outside the ball park but still in view of the stadium and other places close that are outside of the stadium. Another example of savings is the elimination of the looping system underground that looped all the lights together into a protection system. The value engineering changes will protect each pole individually – that reduces the amount of conduit and wiring. This reduces the price but not the performance. The electrical generating system was engineered to be oversized and also duplicated back-up generation for both the lighting and storm/groundwater pump systems. Another change would be changing a switching method that immediately eliminated any power loss. The stadium was designed for instantaneous regeneration, like that used in a hospital where life and death situations could happen. A baseball stadium does not pose a life or death situation when power goes out. The goal is to make common sense changes that would not compromise the stadium. Mr. Wernet noted that the difference between the lowest bid and the next lowest bid was \$225,000.⁰⁰ and re-bidding probably would not influence the bids. If the difference had been close, re-bidding might have an effect on the outcome but this substantial difference probably would not. Mr. Leatherman noted that the potential changes and deducts in the lighting fixtures changed them from office space type light fixtures, including fixtures in some areas where the public would never venture, to more industrial fixtures. Mr. Cox asked if time is of the essence and Mr. Leatherman noted that the elevators and mechanical were the most time critical. He noted that the electrical contract is not as critical; however, if a re-bid were to be done, it would take a few months to do the redrawing and re-bidding. That would most likely slip the project into a time-critical mode. Mr. Cox felt that if the cost of re-bidding along with the potential risk and liability outweighs proceeding, then the Commission should accept the bid and continue with the value engineering. Mr. Wernet stated that given the timing issues as understood and the liquidated damages on other contracts, it is legal counsel's opinion that the Commission should move forward and not re-bid. It is also Mr. Wernet's opinion that the \$.5 million in cost savings from value engineering would not be realized in a re-bid, plus the associated costs with the re-bid would push the costs further. A discussion of the material and engineering costs associated with the re-bidding ensued. Mr. Iddins stated that value engineering a project is not an unusual situation. Mr. Leatherman noted that there are concessions that could be made in the parking garage that would allow for any large overages in the bids that will be opened next week. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

OTHER BUSINESS

- **Bid Opening** – Mr. Lindsay asked for a volunteer to be present for the 11 bids that will be opened on Wednesday, March 12, 2008 at 3:00 p.m. in Room 128 on the 1st floor of the City County Building. Mr. Obergfell volunteered.

ADJOURNMENT – Motion to adjourn by Ms. Wire; seconded by Mr. Obergfell. Meeting adjourned at 5:10 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

Adopted: 21 April 2008

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
March 17, 2008

TIME: 4:30 p.m.

PLACE: Room 128, City County Building, One East Main Street, Fort Wayne Indiana

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:00 p.m.

ROLL CALL: Christopher Guerin
Casey Cox
Steve McElhoe
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
Jim Lindsay, Redevelopment Specialist
Gary Lyman, Brownfield Manager
Julie Sanchez, Redevelopment Specialist

COUNSEL PRESENT: John Wernet

OTHERS PRESENT: Craig Berndt, Development Services, City Utilities
Jim Iddins, Weigand Construction

APPROVAL OF CLAIMS Motion to approve Claims of January 2008 by Ms. Wire;
seconded by Mr. Cox. Motion approved unanimously

APPROVAL OF MINUTES Motion to approve Minutes of 18 February 2008 by Mr. Cox;
seconded by Ms. Wire. Motion approved unanimously

OLD BUSINESS

A discussion ensued regarding State legislative changes during the current session that might impact the Redevelopment Commission and the collection of TIF revenues. The outcome of the discussion was to hold an orientation meeting to understand the impact of recent State legislation and to better understand sources and uses of Redevelopment Commission funds.

NEW BUSINESS

Resolution 2008-17

Approving stream restoration and stormwater improvements on Lot #13 at Southtown Centre

Mr. Berndt stated that on Lot 13 near Tillman Road and 5/3 Bank, Development Services will install a temporary entrance drive to enable contractors to access the site. There will be tree planting done on land adjacent to the renovated detention pond. Development Services has been working with Sam Schenkel of Southtown Centre LLC to be aware of what should be done to make the site more marketable. After the work is complete, the soil will be compacted. City Utilities will complete the restoration and improvements at their cost. After the work is completed, the Redevelopment Commission will take ownership of the improvements and maintain the land. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2008-18

Approving an agreement for the construction, maintenance and repair of private stormwater facilities

Mr. Berndt explained that the Maintenance Agreement is the standard form of agreement between the City and any entity who would maintain renovations, specifically to stormwater detention areas done by City Utilities. The Maintenance Agreement states that Development Services will build the improvements at their cost and that the Redevelopment Commission will maintain the area after it is built and approved. Typically, these kinds of agreements run with the land; so when the land is sold the Maintenance Agreement will be assigned to the new property owner. Mr. Lindsay stated that the Resolution addresses this point. There will be periodic inspections of the detention basin by Engineering Support Services to ensure that the area is properly maintained. The stream restoration project that is required by the Army Corps of Engineers will be facilitated by this detention basin project. The construction phase should be

completed in Summer 2008. A discussion of the possible kinds of buyers of Lot 13 ensued, noting that the land is zoned SC-4, Shopping Malls and Retail Centers. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2008-19

Ratifying and approving a design services modification request to a contract for professional architectural services with Schenkel Shultz Architects

Mr. Lindsay noted the services by Schenkel Shultz have already been received for the parking garage project. The services relate to plans and specifications for the drawing and design of the Conference Center. At the time the parking garage contract was approved in December 2007, the alternates for the Conference Center were not accepted. Before the Conference Center was approved, the consensus was that other contracts needed to be in place in order to evaluate the impact on the budget. Schenkel Shultz completed the design phase of that component and is now asking for payment. A discussion of the RFP process for the Architect ensued. Motion to approve by Ms. Wire; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

Resolution 2008-20

Approving a Brownfield Grant for Fort Wayne Steel

Mr. Leatherman noted that Fort Wayne Steel is also known as Valbrunna and has been working with the EPA and IDEM to identify issues on the property that were present when it was purchased from Slater Steel. The assessments will take place in an area that has been identified for future expansion of operations. IDEM has asked that certain criteria be met before expansion would happen on that site. Valbrunna wants to do monitoring of soil and groundwater on the site. If they are able to clear the site from environmental concerns, that is the area when future expansion will happen. Mr. Leatherman noted that Brownfield Funds are CEDIT monies contributed through the Controller's Office. In the past, CEDIT dollars paid the salary of the Brownfield Manager; beginning this year the salary has been placed on regular property tax proceeds. In previous years the Controller's Office allocated \$400,000.⁰⁰ to this program, but beginning in 2008 the amount was reduced to \$300,000.⁰⁰. A discussion of the Brownfield Program ensued. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Baseball Stadium Bids – Mr. Wernet stated that a meeting to satisfy concerns about having adequate funds to complete the project and enter into all the contracts was held earlier today. There are also funds available to complete all the brick work on the Parking Garage and the Conference Center. The original budget was \$152 million in total sources and uses of funds. At this time the total sources and uses of funds is approximately \$151.3 million. Because of the two bond issues, using Jefferson/Illinois TIF is decreased. There are some additional utility and stormwater projects that will need to be completed at a later date. The funding for the off-site infrastructure on Jefferson, Brackenridge, Ewing, Harrison and Douglas, which are in the TIF area, is for stormwater/combined sewer issues in the Downtown area. It was anticipated that City Utilities would do that work and the Redevelopment Commission would reimburse them for some of the work from TIF funds. The projected contingency remains at approximately \$2 million to cover any unforeseen issues. Mr. Leatherman noted that everything from the south side of Jefferson to the north side of Breckenridge from the east side of Ewing to the west side of Harrison is in the footprint of Harrison Square. All of the utility installation: water, sewer, stormwater, pumps, sidewalks, streetlights – are included in the budget of Harrison Square. At some point, parts of those utility installations will be for the benefit of downtown and not necessarily born by the cost of this project. Water lines will be replaced to benefit the Federal Building, Jefferson might be repaved but this project envisions providing one lane of right-of-way to Jefferson for on-street parking. It is not anticipated that project costs will include repaving Jefferson all the way to the north side. Those things that are outside the Harrison Square project scope are still in flux and being negotiated with City Utilities. The street resurfacing will not occur until the Harrison Square project is complete. Mr. Wernet noted that the bond was not over-issued and it was understood that these infrastructure issues would not come into play until 2009, so by not putting that money in the current bond, \$200,000.⁰⁰ in interest payments were saved. Funds that might remain as excess in the existing budget could be used for infrastructure improvements connecting to improvements that will be made in conjunction with the Harrison Square project. The final design of the stormwater pumping system on site will aid staff in determining how many infrastructure dollars we might be saving by utilizing the expertise of HNTB.

Resolution 2008-21

Approving a contract with Hagerman Construction Corporation for Bid Package #6 (Masonry) for the Harrison Square Baseball Stadium

Jim Iddins stated that Hagerman was the low bidder and Weigand will continue to work with Redevelopment staff and Hagerman to identify any scope items that might be considered for value engineering. The engineering estimates were calculated in the design-drawing stage of the project; subsequent to that the construction drawing were done to provide more detail. The construction drawings influence the bid, either up or down. Mr. Iddins noted that in the

aggregate, the bids were approximately \$380,000.⁰⁰ below the engineering estimates and masonry was approximately \$70,000.⁰⁰ below the original estimate. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2008-22

Approving a contract with Nationwide Construction Group for Bid Package #7 (Miscellaneous Metals and Handrails) for the Harrison Square Baseball Stadium

Mr. Leatherman noted that this package received one bid after the 3:00 p.m. deadline. State Statue provides that bids received after the cutoff must be returned unopened. Mr. Iddins stated that the handrails will be galvanized steel with a fine coat. Once installed, the painting contractor will do the final coat. There are several options for these handrails, one of which is powder coating to help with some schedule issues. This option would save on galvanizing and would eliminate the painting of handrails from the painting contract. The Miscellaneous Metals part of the package includes the ornamental gates that close off entrances into the baseball stadium. Mr. Wernet noted that some materials were removed from the steel bid and added to this bid. That made this bid higher than the engineering estimate. Mr. Iddins noted that since the installation of the handrails is near the end of the project, Weigand has not begun the value engineering process yet. A discussion of value engineering ensued. Motion to approve by Mr. McElhoe; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2008-23

Approving a contract with Schenkel & Sons for Bid Package #8 (General Building Construction) for the Harrison Square Baseball Stadium

Mr. Iddins stated that this bid is straight forward with the only alternative is the decision whether to include a "Batter's Eye". Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2008-24

Approving a contract with Fort Wayne Roofing for Bid Package #9 (Roofing) for the Harrison Square Baseball Stadium

Mr. Iddins noted that majority of the reasons the bid was over the engineering estimate were that there is a lot of detail overhanging the sidewalks. The roofing contractor will do all the metal work on the roofing detail and that was not a part of the engineering estimate drawings. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2008-25

Approving a contract with Hall Aluminum Products for Bid Package #10 (Glass & Glazing) for the Harrison Square Baseball Stadium

Mr. Iddins noted that most of the glass in the stadium will be installed in the Suite Level overlooking the ball park. All of the glass in the suites can be opened to expose the suite to the outdoors. The windows on the outside of the stadium have radius tops. Most of the outside of the ball park is brick and limestone. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2008-26

Approving a contract with Rosema Construction for Bid Package #11 (Metal Studs & Drywall) for the Harrison Square Baseball Stadium

Mr. Iddins noted that the company will also be doing many of the architectural details on the outside of the building. All the acoustical ceilings and insulation are included in this package. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2008-27

Approving a contract with Tile Interiors for Bid Package #12 (Flooring) for the Harrison Square Baseball Stadium

Mr. Iddins stated that most of this contract encompasses the carpeting and resilient flooring within the structure. The flooring in the concession area will be concrete with an applied sealer. Motion to approve by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2008-28

Approving a contract with Thomarios for Bid Package #13 (Painting) for the Harrison Square Baseball Stadium

Mr. Leatherman stated that there was only one respondent to this bid package. Mr. Iddins stated that some contractors were frustrated with how the documents were presented and that at the end the finish schedule was changed. Local contractors also seem to be very busy at this time. Mr. Leatherman noted that the response was under the engineering estimate; however, situations have been brought to staff's attention to consider before awarding this contract. There has been no indication that Thomarios should not be hired, but they will be further scrutinized. Mr. Iddins noted that some of the concerns about this company revolve around safety issues and

he understands that the Redevelopment Commission is very concerned with safety of both the workers and the general public. Mr. Wernet stated that if the safety issues become a concern, there could be a push to reject for that reason alone and re-bid. Motion to defer until there is further investigation from staff by Ms. Wire; seconded by Mr. Obergfell. Motion deferred unanimously without further discussion.

Resolution 2008-29

Approving a contract with VFP for Bid Package #16 (Fire Protection) for the Harrison Square Baseball Stadium

Mr. Iddins noted that this package contains the fire sprinklers and heads. The fixtures will be very much like the ones installed in the Grand Wayne Center. Motion to approve by Ms. Wire; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

Resolution 2008-30

Approving a contract with Motz Group for Bid Package #18 (Playing Field) for the Harrison Square Baseball Stadium

Mr. Leatherman noted that from the time of the bid opening there was some doubt that the \$726,000.⁰⁰ bid amount would be sufficient to complete all the work that is called for in the specifications. The company is a credible firm, but an investigation of the bid documents has not discovered if all the components called for in the specifications are preset. Mr. Leatherman asked that the Redevelopment Commission defer this award until further investigation is complete. Motion to defer pending further investigation from staff by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2008-31

Approving a contract with Nationwide Construction Group for Bid Package #19 (Fences and Gates) for the Harrison Square Baseball Stadium (Combined Bid with Bid Package #7, Miscellaneous Metal and Handrails)

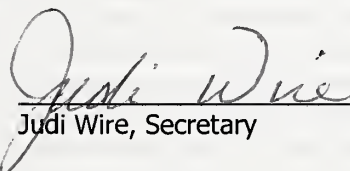
Mr. Leatherman noted that the specifications allowed for the combination of this bid with package #7 if it would garner a lower cost to the Redevelopment Commission. There was the option in the bid specs to award the contracts individually or as a combination. The combined bid was the lowest. Nationwide Construction is from Chesterfield Michigan, a suburb of Detroit. Mr. Iddins noted that Nationwide does a lot of metal work for ball parks. Mr. Wernet stated that if the bid was taken on the individual contract, the cost of the sole bid would have been \$119,655.⁰⁰ but as a combined bid it was \$92,700.⁰⁰. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

OTHER BUSINESS

- **Conference Center build out and North-facing brick** – Add alternates are being discussed and will be evaluated after receipt of future bids.

ADJOURNMENT – Motion to adjourn by Ms. Wire; seconded by Mr. McElhoe. Meeting adjourned at 6:15 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

Adopted: 21 April 2008

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
21 April, 2008

TIME: 4:00 p.m.

PLACE: Room 128, City County Building, One East Main Street, Fort Wayne Indiana

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:00 p.m.

ROLL CALL: Christopher Guerin
Casey Cox
Steve McElhoe
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
Jim Lindsay, Redevelopment Specialist
Gary Lyman, Brownfield Manager
Julie Sanchez, Redevelopment Specialist
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet

OTHERS PRESENT: Elissa McGauley, Economic Development
Rob Young, Fort Wayne Allen County Economic Development Alliance
Jim Iddins, Weigand Construction

ALLOWANCE OF CLAIMS Motion to allow Claims of February 2008 by Mr. McElhoe; seconded by Ms. Wire. Motion approved unanimously

APPROVAL OF MINUTES Motion to approve Minutes of 6 March 2008 and 17 March 2008 by Ms. Wire; seconded by Mr. Cox. Motion approved unanimously

NEW BUSINESS

Presentation by Ted Nitza (City Utilities, Planning & Design Services) regarding a water utility project in the airport area.

Mr. Leatherman stated he asked Mr. Nitza to provide a brief project overview of projects City Utilities is contemplating in the Airport Expressway area. Mr. Nitza explained that his area's focus is on growth and expansion projects including the sanitary sewer and drinking water utility portion of City Utilities. City Utilities has been working for quite some time to bring more economic development opportunities near the airport and along the Airport Expressway and to complement services to General Motors. The project contemplates a water main project that includes approximately 30,000 linear feet of water main piping (5.5 miles) that would connect the Coca Cola facility near the Airport to the General Motors facility. The project would use 16 inch diameter piping to provide regional service throughout the area and would include fire hydrants and valving along the way. The planned benefits of this project would be to improve the service redundancy and the reliability to the facilities within the Baer Field Economic Development Area. Mr. Nitza referred to the map attached to his handouts and delineated the economic development that has taken place in the area. He noted that there is a City-owned elevated storage tank at the General Motors plant that holds 1.5 million gallons of water for use during peak times, firefighting incidents and outages. Extending the service will bring redundancy and reliability to the Baer Field area itself. The planned benefits from the extension also provide direct potable water access along the entire corridor. His office has heard over the years that lack of utilities has sometimes hampered the ability to locate facilities along the Expressway. This project would provide drinking water access along the Expressway as part of that benefit. Lastly, this project would provide another area of redundancy and more reliability to the General Motors facility. Water would travel both ways along the pipeline corridor. General Motors uses approximately 1 million gallons of water during normal operations. General Motors has told the City that every minute they are out of service it costs them \$25,000.⁰⁰. General Motors and the City of New Haven are the City's top water and sewer clients. City Utilities has already commissioned (and has almost completed) the design and easements; that is not seen as part of the costs that would be borne by the Redevelopment Commission. The construction cost is estimated to be approximately \$4 million. It includes some crossings of the Airport Expressway

and the crossing of I-69, as well as the piping segments. City Utilities and the City, as a whole, have been working with Allen County to coordinate efforts. This project is in accordance with the Comprehensive Land Use Plan, calling for commercial, industrial, high-value and high tech development along the corridor. City Utilities is working with County Planners to help economic development be more readily available in the area. A sanitary sewer project is also contemplated in this plan, but not as part of what is being proposed today. It is hoped that future improvements will be a further stimulation for the opportunities in the area to where sanitary sewer can be installed. At the Redevelopment Commission's next meeting, City Utilities intends to present finalized financing details and amounts City Utilities would seek from the Redevelopment Commission. It is hoped that TIF funding would mitigate the tap fees for potential developers. Mr. Nitza noted that at this time he is not proposing that the Redevelopment Commission fund the sewer portion of the project. The water main benefits the Baer Field Economic Development Area, a sewer project would not. The County is looking at ways to have the sewer project move forward. A discussion of residential development ensued.

Resolution 2008-28

Approving a contract with Thomarios for Bid Package #13 (Painting) for the Harrison Square Baseball Stadium project

Mr. Leatherman stated that this and the next resolution are the bids that were held for further discovery. It was pointed out to Mr. Leatherman that there had been some safety issues, including two separate instances of death in the Thomarios conglomerate. Mr. Leatherman was able to investigate these instances; one was directly related to their painting operations. Thomarios is a very large company with divisions that include general construction, painting, etc. The painting contractor had an incident several years ago and Mr. Leatherman talked to the attorney that represented them in this instance; Thomarios was found to be innocent of causing the death. The other situation involved the general construction portion of their operations. Mr. Leatherman stated that he was comfortable with recommending that the Redevelopment Commission accept the contract for Thomarios. Motion to approve by Mr. Cox; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2008-30

Approving a contract with Motz Group for Bid Package #18 (Playing Field) for the Harrison Square Baseball Stadium project

Mr. Leatherman stated that there were four bids submitted for this package; the engineer's estimate was approximately \$1.4 million. The low bid was \$726,774.⁰⁰. Staff was concerned that the low bid did not include all elements of the contract. The on-board consultant was aware that the low bidder had never installed a baseball stadium playing field. On the other hand, Motz is a company the consultant has worked with on several occasions and he is comfortable with their expertise. Staff recommendation is to accept the bid from Motz Group. Mr. Iddins noted that the specifications indicated that the bidder should have prepared five (5) playing fields before submitting a bid. The low bidder did not meet the specifications of the bid package. Motion to reject the low bid of Tom's Landscaping by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion. Motion to approve entering into a contract with Motz Group by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2008-32

Allowing the designation of property as an Economic Revitalization Area for Quadrant Engineering Plastic Products in the Baer Field Economic Development Area

Ms. McGauley noted that Mr. Young of the Fort Wayne/Allen County Economic Development Alliance had previously worked with Quadrant. Quadrant submitted an application on 10 April for their facility at 2710 American Way in the Baer Field Economic Development Area. Per Indiana Code, applicants that submit an application for an Economic Revitalization Area designation that are located in Redevelopment Areas must seek the Redevelopment Commission's approval before it can be submitted to Common Council. This approval will make it possible for them to seek tax abatement. Quadrant is a manufacturer of ultra-high molecular poly-ethylene. This plastic is very well suited for the orthopedic implant industry. Meditech, their division at the American Way location, is planning on investment in real and personal property that includes manufacturing R&D equipment and a 2,400 square foot addition to their facility that will house a new-process manufacturing division. They currently have 110 full time jobs at their facilities at an average salary of more than \$57,000.⁰⁰ annually. Of the 110 employees, 13 work specifically for the Meditech division. The total payroll for those employees is more than \$600,000.⁰⁰ per year. The company came before the Redevelopment Commission in 2005 when they were purchasing additional equipment. A discussion of tax abatements in general ensued. Mr. Young noted that the facility in Fort Wayne is one of three Meditech divisions around the world. The competition for this facility would more than likely be internal. When a company has these kinds of opportunities, there are choices to be made and the City would like to see this expansion happen in Fort Wayne to support the medical cluster in Warsaw and Memphis. Ms. McGauley noted that Quadrant purchased Poly-Hi Solidor in 2005. A discussion of acetone emissions at the plant ensued; Mr. Leatherman noted that the EPA can

choose to regulate emissions anywhere in the country. Motion to approve by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2008-33

Approving Change Order #1 to a contract with W. A. Sheets & Sons, Inc. for the Harrison Square parking deck

Mr. Leatherman stated that staff is working as prudently as possible concerning awarding alternates to the overall Harrison Square project. There were Alternates proposed for the construction of the parking deck but the decision to add them was deferred until the staff was sure the budget had the capacity. These Alternates include the build out of the Conference Center, the operable partitions in the conference center to make it a multi-function space as well the brick façade on the north side of the parking deck. After the Redevelopment Commissioners decided that these Alternatives were the wise to do, this resolution was drafted. Mr. Leatherman noted that visually the brick adds an enhanced addition to the side of the building that is most exposed. He also noted that these Alternatives enhance the west side of the development that includes the scoreboard, the Wrigley-Field style seating and the Conference Center. On the east side the development has been set back 30 feet between the right-of-way and the building to support additional mixed use. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2008-34

Approving an Amendment to a contract with Weigand Construction, Construction Manager, for the Harrison Square Baseball Stadium project

Mr. Wernet reminded the Commissioners that this subject was discussed conceptually at the March meeting. This addition to the contract is similar to an option for W. A. Sheets in the Grand Wayne Center construction project that gave the Construction Manager an incentive to perform. This Performance Bonus of \$50,000.⁰⁰ would be given if the project is completed under the published construction budget. This also contemplates giving Weigand a 50% split on any savings in the General Conditions budget. Weigand will be paid through April 2009, if they do not complete the project in that time, they are still required to perform and they will not receive compensation. The 50% of General Conditions only applies if Weigand also meets the construction timeline. Motion to approve by Ms. Wire; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

Resolution 2008-35

Authorizing the issuance of a Notice of Public Hearing regarding a proposed amendment to the Jefferson Illinois Road Economic Development Area, Washington Center Coldwater Road Economic Development Area and Centennial Industrial Park Urban Renewal Area

Mr. Leatherman stated that a close reading of House enrolled Bill 1001 revealed special language on the way Redevelopment Commissions can operate in the State of Indiana. The legislation tried to take what had typically been the "in and/or serving" designation regarding paying for improvements and made it so that the improvements being paid for from TIF dollars actually touch the district – it is a more tightened definition of what the word "serving" means. There will be more discussions in the legislature about the intent of the legislation and whether there are inconsistencies throughout the course of bill. As legal counsel investigated the perceived intent of the Bill, staff looked at all the areas through the prism of what projects are proposed in these TIF Districts to make sure that the Redevelopment Commission can legally continue under the new legislation. These three areas each have projects identified but the project area was not precisely touching the district. Improvements in the Centennial Industrial Park Urban Renewal Area contemplate the signalization of Butler at Hillegas Road. The right-of-ways on both Butler and Hillegas Road are not in this area. Expanding the TIF Area to include that intersection would make sure the Redevelopment Commission is legally completing the project. The expanded area would include only the public right-of-ways down those two streets and puts the intersection into a touching geographical situation and ensures that we are meeting the intent of the current legislation. The second area expands the Washington Center and Coldwater Road Economic Development Area right-of-ways to include the Washington Center/Dartmouth Drive intersection (just west of the Bishop Dwenger campus) where there have been multiple personal injury accidents. The Board of Public Works has been working with residents in those areas to develop a plan that serves the needs of the residents as well as the vehicles that travel that road. The last area to be amended is the Jefferson/Illinois Economic Development Area where serious discussions have been happening regarding the combination of the Truck Route and the widening of Ardmore between Jefferson and Taylor Street. This project has been in the planning stages for some time; it was anticipated that the funding source for this widening project would be a combination of the Baer Field TIF and Centennial Industrial Park TIF using the language of the in and/or serving logic. This is a Truck Route that would connect the north industrial parks with the Airport. It was anticipated that this Truck Route would serve both those Areas and therefore be appropriate to use those TIF funds to help fund improvements. If the effect of the Legislation truly limits the Redevelopment Commission to spending funds in areas where the improvements are only touching the district, then this is necessary to be able to tap into the 50% of the Jefferson/Illinois TIF funds that were not committed to the Harrison Square project. There are

other projects that the excess 50% is targeted to complete including improvements to the private drive that separates Apple Glen from Jefferson Pointe. There are some additional projects along the Jefferson Blvd corridor that TIF Funds are available to do all the way into Downtown. If the Redevelopment Commission chooses to expand these districts, the City can then contemplate these projects and that would allow the staff of Transportation Engineering Department to provide the Commission with an appropriation request. There was a Resolution that designated \$4 million to fund the Ardmore widening project and also another \$625,000.⁰⁰ from the Jefferson/Illinois Road Economic Development Area to adequately address the intersection of Ardmore and Taylor. These projects have been viewed separately because vehicular traffic is the cause of some of the concerns regarding Taylor and Ardmore while the Ardmore project was perceived only as the Truck Route and Ardmore widening project. These projects are still being refined at the engineering level. This Resolution asks for permission to advertise a public hearing at least 10 days before the next meeting and to invite the public to comment on these expansions. If after the public hearing, the Redevelopment Commission wishes to expand those areas, there will be a Resolution. Jefferson/Illinois Road and Washington Center Economic Development Areas will need to go to Common Council because of their designations as Economic Development Areas. At that point, a specific project would be presented with design, budget numbers, engineering estimates and costs. Staff has had very little conversation concerning the specifics of what properties would be acquired and their costs, what the roadway might look like, etc. Mr. Wernet noted that these are all Board of Public Works projects and the budgets would be subject to the approval of Common Council and then the Redevelopment Commission would approve the source of the revenue. Mr. Leatherman stated the expansions of these TIF allocation areas would not take in any taxable property; it is purely public right-of-ways. These expansions will not take in any additional money and does not obligate the Commission to any other projects that were not already contemplated. Mr. Wernet noted that State Statute requires that any adoption of an Amendment take place by 1 July 2008. A discussion of the date for a Public Hearing ensued. The Public Hearing date was set for Monday, 12 May 2008 at 5:00 p.m. and would be combined with a Special Meeting. This would be in lieu of the Regular Meeting scheduled for 12 May 2008. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2008-36

Approving a transfer of property from the Fort Wayne Board of Public Works to the Fort Wayne Redevelopment Commission

Mr. Leatherman stated that the Board of Public Works by Resolution offered the ownership of what is commonly known as the City's Employee Parking Lot at the northeast corner of Superior and Clinton Street, near Club Soda, to the Redevelopment Commission. The transfer does nothing concerning the management of the property; it just transfers ownership to the Redevelopment Commission. The intent of the request is to entertain future proposals for development along the north side of Superior Street. There have been a number of projects proposed including a development preliminarily called Restaurant Row, a concept of mixed-use, multi-story buildings facing downtown that would create residential, commercial and retail activities on that corridor. If discussions progress with developers who have expressed interest in doing activities, that would attract additional private investment. A RFP would be created that would ask for those to be formally submitted to the Redevelopment Commission for consideration. As has been done in the past, in exchange for development, the one incentive the Commission has is land in exchange for significant private investment of a particular type that the City Comprehensive Plan envisions. Hopefully, having control of this land will lead to receiving proposals for development along that public roadway. Mr. Leatherman noted that particular portion along the Superior Street corridor has not been indicated or impacted in any way by the recent remediation by NIPSCO of the former coal and gasification area there. Motion to approve by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

F. OTHER BUSINESS

Resolution 2008-37

Approving a budget for Change Order #1 to a contract with Hagerman Construction Corporation

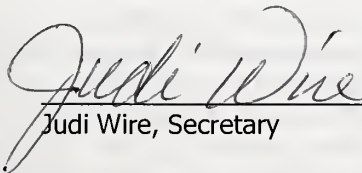
Mr. Wernet stated that this Change Order involves the left field wall that abuts the parking garage/fitness center of the condominiums. When the concrete package was initially bid, it was anticipated that there would have to be some coordination along the left field wall. The left field wall has always been a public expense; there was just a question if it was going to be built by Barry Real Estate and reimbursed by the City based on a number of factors not the least of which is timing. Mr. Wernet feels it would be better to complete this portion of the contract under the public contract instead of a reimbursement to Barry Real Estate. The Change Order contemplates a \$140,000.⁰⁰ addition to the Hagerman Construction contract for the concrete work on the left field wall. Hagerman is the contractor for Barry Real Estate's condominium project; so they will provide complimentary construction for both projects. This has no impact on the concrete construction budget. According to Mike Brita at Martin Goldstine Knapke condominium sales are going well, with an increasing waiting list. There have been more people deposit earnest money on the condos than have asked for their deposits back. Barry Real Estate

has Letters of Intent from a couple different restaurants that would use approximately 50% of the retail space. A discussion of traffic on Jefferson Blvd. ensued. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

- **Baer Field Economic Development Area, Southwest Fire Protection District** – Mr. Lindsay stated that he received a letter from the Allen County Auditor asking for a reimbursement of \$48,794.00 from the Baer Field Tax Allocation Area. The reason for this request is because of a situation that exists only in Allen County in that the Southwest Fire Protection District, one of the four taxing districts in the Baer Field area. The law does not allow the collection of tax increment on the portion of the tax rate that is allocated to the fire district itself. This was something of which Redevelopment Commission staff, the County Auditor and County staff were not aware. The Auditor discovered the discrepancy during the budget process. This reimbursement does not require a resolution because it is a statutory requirement. Motion to comply with Statutory requirements by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.
- **Commission Meeting/Seminar** – Mr. Leatherman noted that the new Commissioners and those returning have asked for a time beyond the meetings to understand and ask questions concerning the powers of the Redevelopment Commission. Staff and Legal Counsel have had time to digest enrolled House Bill 1001 and would report on what it is believed the intent of that Bill and other powers of the Redevelopment Commission. Mr. Leatherman asked that the Redevelopment Commissioners submit specific questions concerning specific topics that they want addressed at this meeting. He asked them to individually send those questions to him so Staff can prepare and address pertinent questions. The meeting would be public and would be noticed accordingly.
- **Storm/Groundwater at Harrison Square.** – Mr. Leatherman noted that HNTB was hired to evaluate the groundwater situation at Harrison Square. There was concern from the City's Stormwater Engineering Department about how groundwater that flows at 10 feet was going to be pumped from the site. Slurry walls have been installed to get the groundwater past the site and not enter the "bowl" of the Stadium. The estimated cost of installing the pumping, telemetry, back-generation, and the concrete vault to pump both storm and groundwater away from the site and put it into the system was \$1 million. HNTB was hired as a special engineering consultant and together with the Utility Department focused on the design of the field as a retaining, pumping and recycling area. The engineering estimate is \$460,000.⁰⁰ as a direct result of completing the improvements made to date.
- **Value Engineering** – Jim Iddins stated that the original budget for all the mechanical and electrical contracts on the job site is \$350,000.⁰⁰ under the engineering estimate. The only job left to bid under the Weigand construction is the hardscape. Most of the items identified for value engineering include underground piping changes, deletion of some of the vibration isolators for the mechanical equipment on the roof, changing the water heaters to a different brand and domestic water line changes. The Party Deck heaters will be added later if needed. There might be a savings by cutting back on the training for the operation employees depending on which HVC system is installed. The electrical changes include storing the electrical components off-site, savings on the emergency generator, transfer shunt-trip devices will be changed per the electrical contractor's recommendation, elevator control changes, lighting control changes, the TV mounts will become part of the fixtures package, using different conduit, using cable trays in the office suites and light fixtures changes. The Field Contractor will be installing the drainage system and that constitutes a considerable savings.

ADJOURNMENT – Motion to adjourn by Ms. Wire; seconded by Mr. Obergfell. Meeting adjourned at 5:28 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION


Judi Wire, Secretary

Adopted: 12 May 2008

FORT WAYNE REDEVELOPMENT COMMISSION
Special Meeting
12 May, 2008

TIME: 4:30 p.m.

PLACE: Room 128, City County Building, One East Main Street, Fort Wayne Indiana

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:30 p.m.

ROLL CALL: Christopher Guerin
Casey Cox
Steve McElhoe
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
Jim Lindsay, Redevelopment Specialist
Julie Sanchez, Redevelopment Specialist
Sharon Feasel, Redevelopment Specialist
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet

OTHERS PRESENT: Elissa McGauley, Economic Development

ALLOWANCE OF CLAIMS Motion to allow Claims of March 2008 by Mr. McElhoe; seconded by Ms. Wire. Motion approved unanimously

APPROVAL OF MINUTES Motion to approve Minutes of 21 April 2008 by Ms. Wire; seconded by Mr. Obergfell. Motion approved unanimously

NEW BUSINESS

Claims - Mr. Obergfell asked about an \$8,000.00 charge from Griffin Real Estate Service from the Downtown Blueprint fund. Ms. Reising explained that Griffin Real Estate Service completed a disposition appraisal for the Harrison Square site and recently submitted the invoice.

Barry Real Estate - Mr. Obergfell asked how much the Redevelopment Commission has paid to Barry Real Estate. Ms. Reising stated that they have been paid 264,000.⁰⁰. Mr. Wernet stated that there was an initial payment. Ms. Reising noted that the initial payment was \$495,000.⁰⁰. She stated that their monthly fee is \$66,000.⁰⁰. Mr. Obergfell asked about performance requirements in their contract and Mr. Wernet stated that this contract relates only to their services as project coordinator for the ballpark. Mr. Wernet noted that the Redevelopment Commission does not pay Barry Real Estate any money for their work on the retail and condominium portion of the development. The Redevelopment Commission's contract with Barry Real Estate deals with their project coordination between Weigand Construction, the architects and the contractors fine-tune and bring the project in on budget and on time.

Hardball Capital - Mr. Obergfell asked about Hardball's \$5.6 million contribution to the project. Mr. Leatherman noted per their contract, among other amenities, Hardball will be paying for the \$1.5 million scoreboard, a yet unspecified amount for the fixed seats, and \$355,000.⁰⁰ for the stadium lighting. Mr. Obergfell asked what would happen if Hardball defaulted on their contract. Mr. Leatherman stated that there is no reason to surmise that they will default. Mr. Cox and Mr. Wernet concurred that there would be remedies under the law if they did default.

Resolution 2008-38

Allowing the designation of property as an Economic Revitalization Area for F W Convention, LLC in the Jefferson Illinois Economic Development Area

Ms. McGauley stated that she has received an application from White Lodging (F W Convention LLC) for their development of a Courtyards by Marriot at the Harrison Square site. The application filed indicated that the project would cost \$23.7 million, which includes the construction of a 250-room hotel with full-service restaurant, exercise and swimming facilities. The company is projecting hiring 35 full-time and 20 part-time employees. The average annual wage for the full-time jobs is over \$31,000.⁰⁰ per year and part-time jobs will pay approximately \$15,000.⁰⁰ a year. All are hospitality-related positions. Mr. Wernet noted that in this project every part is a single purpose entity that is owned entirely by White Lodging. Mr. Cox asked if the Hotel Development Agreement was also binding on the LLC and Mr. Wernet confirmed that it was. A discussion of the exact location of the hotel ensued. Mr. Cox asked Mr. Leatherman to explain the Redevelopment Commission's role in tax abatement proceedings and Mr. Leatherman replied that Fort Wayne Common Council sets the tax abatement policy under the guidelines of

what is acceptable to the State of Indiana. Common Council can make more restrictions on the granting of tax abatement than the State allows, but they cannot allow less than what is provided by Statute. Common Council sets policy and approves the granting of the tax abatement. When the Fort Wayne Redevelopment Commission is asked to vote on a tax abatement application, its primary responsibility is fiduciary. The focus of the Redevelopment Commission should be whether the granting of the tax abatement could have negative implications on any outstanding debt encountered by the Redevelopment Commission in this allocation area. Before this application was brought to the Redevelopment Commission, it was examined by the Crowe Chizek, the Allen County Auditor and Allen County Assessor to establish the type of tax abatement would be appropriate and what would the applicant be eligible for and took into account TIF funds to be generated from the hotel development. Over 10 years, the recipient of this type of tax abatement would only be paying 50% of their tax burden; the other half of the taxes will come to the City to pay the bond debt service. In this case, the Redevelopment Commission is asked to verify that there is no negative impact on the debt service. A discussion of targeted areas for tax abatement incentives ensued with the comment that 2.8% of the entire area of Fort Wayne is under tax abatement. Under State Statute a maximum of 15% of the entire area is available. Motion to approve by Ms. Wire; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

Resolution 2008-39

Approving an increase in a contract for civil engineering and geotechnical/testing services for Engineering Resources, Inc. (ERI) for the Harrison Square project

Mr. Leatherman noted that the original contract was \$73,100.⁰⁰. Staff understood that there might be services that should be added to ERI's scope of services. The bulk of the request for additional work is delineated on Attachment A of the resolution. Motion to approve by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2008-40

Approving Change Order #1 to a contract with Contract Dewatering Services for the Harrison Square project site

Mr. Leatherman explained that within the original bid was a provision to provide emergency generation capacity for the temporary removal of collected ground and stormwater to facilitate construction work. Because of the amount of snow melt, ground water and runoff this Spring, staff asked for that provision to be implemented. Jim Iddins of Weigand anticipates that the Redevelopment Commission will receive credit for approximately ½ of this provision since the piece of equipment has not been used. It is sitting at the site and ready to go if an occurrence does happen. The current thinking is the equipment has not been used because the slurry wall was designed and works so well. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2008-41

Allowing the use of Brownfield funds to conduct a Phase I environmental site assessment

Mr. Leatherman stated that Avant Environmental Group proposes to complete Phase I environmental work at the former Dimension Ford site on West Jefferson near Swinney Park. Staff has been in informal discussions with the trust that owns the property about its availability for sale. It has known environmental issues and also wetland and flood way issues. Avant is the exclusive consulting group in Northeast Indiana that manages State Petroleum Grant funds for Cities that own or acquire those properties. The City has the capacity to tap into significant resources at the State level for the clean up but first the State requires that a complete Phase I assessment. Existing reports would be studied as well as the historical use of the property will be determined. A Phase I would be necessary as a first step to further those informal purchasing talks to more formal discussions. The issues that would come before the Redevelopment Commission if the decision to make an purchase offer would be the potential price, issues regarding exclusions to environmental issues and uses and restrictions on the property. Mr. Obergfell felt that Dimension Ford should pay for the Assessment. Mr. Leatherman explained that the City has must hire Avant in order to tap into the State funds that are available. The City has Brownfield funds available for Phase I assessments and having the Redevelopment Commission hire the consultant would allow the reports to first come to the City. A discussion of the floodway ensued. Motion to approve by Ms. Wire; seconded by Mr. McElhoe. Nay vote by Mr. Obergfell. Motion carried without further discussion.

Mr. Guerin recessed the meeting until after the scheduled the Public Hearing at 5:00 p.m.

Meeting reconvened at 5:40 p.m.

Resolution 2008-42

Amending the Jefferson Illinois Road Economic Development Area Plan

Mr. Cox noted that all the comments from the Public Hearing presupposed some funding mechanism. He noted that this Resolution is the extension itself leading to the question of funding for the project. He asked if there were opportunity costs associated with where funds

might come from if the Amendment is not passed. Mr. Leatherman stated that the Board of Public Works drives the improvements to the public right-of-ways. At some point, staff will appear before the Board of Public Works and ask to receive and award bids for the construction of the roadway and whatever else associated with the roadway is needed. One commonly asked question at the Board of Public Works is the name of the fund or funds that will be set aside to pay for those contracts. The Board of Public Works will not enter into a contract without a funding source identified. The Board of Public Works could have additional sources of funds. Those types of funds might be available to them on an available basis or it might be on a bonding basis. The Redevelopment Commission might be one of several funding sources that repay debt incurred by the City of Fort Wayne through the Board of Public Works. Previous Redevelopment Commissions did authorize through resolutions \$4 million of TIF funds to this project. The current Resolution before the Commission is to determine if the Redevelopment Commission is going to continue to fund those improvements. Mr. Guerin noted that as someone who drives that roadway each day, something needs to be done to improve it. Mr. Guerin would like to look at how Illinois/Jefferson TIF revenues are intended to be spent. He would like to weigh into the balance the Dimension Ford property and other projects that might be proposed for the TIF Area. Mr. Leatherman discussed the proposed improvements to the Ardmore intersection with Bob Kennedy today and work is being finalized on the proposal and its costs. It is possible that City Council might also have comments concerning that project. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2008-43

Amending the Washington Center Coldwater Road Economic Development Area Plan

Mr. Leatherman noted that by approving this Resolution the Commission is ensuring the ability to respond to improving the roadway and making it safer for both pedestrians and vehicles. The Redevelopment Commission can ensure the required improvements will be done more quickly and efficiently. The improvements have costs beyond just the roadway improvements that include purchasing right-of-way and other costs associated with that. The residents will have to weigh in on the proposed improvements. The Engineering Department will hold Public Hearings concerning the taking of right-of-way and design issues before the Redevelopment Commission would be asked to fund any work. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2008-44

Amending the Centennial Industrial Park Urban Renewal Area Plan

Mr. Leatherman noted that the projects associated with this Resolution are further along than the others. There is a budget on hand for this project and the work is scheduled to be bid in June. Motion to approve by Ms. Wire; seconded by Mr. McElhoe. In answer to Mr. Obergfell's question concerning the Redevelopment Commission responsibility for these projects, Mr. Wernet stated that the Commission is a shepherd of TIF Funds and any projects using TIF Revenues must go through the Redevelopment Commission. The Board of Public Works' project costs are either reimbursable to them or in some instances the Redevelopment Commission has issued the contract. The Redevelopment Commission is the body that approves the funding. Motion carried unanimously without further discussion.

F. OTHER BUSINESS

Resolution 2008-45

Approving a First Amendment to a Hotel Development Agreement for the Harrison Square project

Mr. Wernet noted that this First Amendment has been discussed between White Lodging and the City before the end of 2007. At the time the Embassy Walkway was proposed; the original Development Agreement required the Redevelopment Commission to give White Lodging Notice to Proceed to do their design drawings. The Notice to Proceed was delayed for approximately 60 days after the timeframe in the Hotel Development Agreement. This Amendment is necessary to adjust some of the timeframes. The date of substantial completion does not change; it is still March 1, 2009 so it will hit the tax rolls on March 1, 2010. The Amendment also deletes some contingencies that have been satisfied. The actual hotel site and the optioned site legal descriptions are referenced in the Amendment. A discussion of previously completed commitments ensued. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

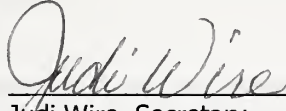
- To be responsive to the receipt of bids for the hardscape and streetscape requests as well as the groundwater/stormwater pumping system that will be going out for bid, Staff will have those ready at the next meeting. There will also be a presentation at the next Regular meeting relative to the Airport Expressway and the water improvements previously described.
- Because John Wernet was out of town until today, the Training Session was scheduled for 21 May to take advantage of another event scheduled that day. Weigand is hosting a BBQ at the job site to thank the construction people and they will be giving tours of the site for all

who come. Jim Irwin from Barry Real Estate will be in town on that date. Mr. Leatherman will also try to get some people who can give updates on sales at Southtown Centre and Summit Industrial Park II. Mr. Guerin would like for Mr. Irwin to talk about the \$5+ million that Hardball Capital has committed to the Stadium.

- Ms. Wire noted that 3 Redevelopment Staff members, she and a member of the Wells Corridor group went to the National L I S T conference on commercial corridors in Indianapolis. She noted that the conference gave the attendees some really interesting information and ideas about how to revitalize our urban corridors.

ADJOURNMENT – Motion to adjourn by Mr. Obergfell; seconded by Ms. Wire. Meeting adjourned at 6:05 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

Adopted: 16 June 2008

**FORT WAYNE REDEVELOPMENT COMMISSION
PUBLIC HEARING MEETING MINUTES
12 May 2008**

TIME: 5:00 p.m.

PLACE: Room 126, City County Building, One East Main Street

CALL TO ORDER: Mr. Guerin called meeting to order at 5:00 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
John Wallace, Assistant Redevelopment Director
James C. Lindsay, Redevelopment Specialist
Julie Sanchez, Redevelopment Specialist
Sharon Feasel, Redevelopment Specialist
Elissa McGauley, Economic Development Specialist
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet, Carson Boxberger

OTHERS PRESENT: Grant Shipley
Carolyn DeVoe
John Shoaff
Bryan Eichman
Lloyd Porter
Steve Souers
Rick Lehman
Michael Toscos
Gary Parkins
John B. Kalb

NEW BUSINESS

Those speaking in favor of amending the Jefferson Illinois Road Economic Development Area Plan

Mr. Guerin asked if there was anyone to speak in favor of the proposed Amendment.

- Greg Leatherman – Mr. Leatherman reminded the people assembled that the 3 Amendments before the Commission are specific in response to the new State legislation. They are a conservative approach to ensure that the Redevelopment Commission is in compliance. The resolutions ask three different districts to include three different public right-of-ways, one for each of these districts. The addition of these public right-of-ways is to enable the Redevelopment Commission to completely and thoroughly comply with even the most conservative legal interpretation of what the Legislature was attempting with changes to the Legislation, making sure that the public improvements that we are anticipating are touching the districts. In the Coldwater Crossing District it is in anticipation of improvements to the Dartmouth Drive intersection. In the case of Centennial Industrial Park Urban Renewal Area, it is to make sure that the Butler/Hillegas Road improvements are touching the district. In the case of the Jefferson/Illinois Economic Development Area, it is to make sure that the improvements on the Ardmore Corridor are touching a TIF District so the improvements of Ardmore between the Jefferson and Taylor intersection can legally be funded. These are projects that have been anticipated and the Redevelopment Commission has authorized the Butler Road project and the Ardmore corridor project in previous Resolutions that approved the improvements that were engineered at the time. These Amendments include right-of-way only and no additional tax revenues will be collected because of the expansion. The expansion along these right-of-ways does not authorize or obligate the Redevelopment Commission to spend any money for projects. All of the projects will come to the Redevelopment Commission with a thorough engineering estimate and design layout so the Commission knows prior to authorizing these projects that the scope and cost of work is appropriate. Mr. Lindsay noted that if these proposed resolutions are approved, the Jefferson/Illinois Road and Washington Center/Coldwater Road Amendments will be presented to Common Council because it must approve amendments to Economic Development Areas. Centennial Industrial Park is an Urban Renewal Area and does not need approval of Common Council because the enlargement is less than 20%..
- Grant Shipley, 3322 North Washington Center Road – Mr. Shipley stated that he is the President of the Wildwood Community Association. He stated that the Community Association supports this

Amendment as a means to an end. He noted that the Wildwood Park Association, the Chamber of Commerce, truckers and the Westwood/Fairway Neighborhood Association have gone through many hours of negotiations concerning the development of the right-of-way along Ardmore. He noted the history of the Ardmore and the Wildwood Neighborhood. He stated that the Wildwood Park Community Association supports the extension of the TIF District to include the Ardmore Avenue right-of-way from Jefferson Blvd. to Taylor Street.

- Carolyn DeVoe, 1210 West Packard Avenue, immediate past chair of the Southwest Area Partnership. Ms. DeVoe stated that she was on the Truck Route Task Force. She noted that any work done on Ardmore Avenue would have to preserve this historic neighborhood. Fort Wayne, as a whole, has historically looked the other way when older neighborhoods are involved. On behalf of the people who live and have invested in the area, Ms. DeVoe supports the extension of the TIF district.
- John Shoaff, 3604 South Washington Road - Mr. Shoaff noted that a preliminary report focused on the engineering problem with the Ardmore Extension and stated the correct solution to the problem would solve the problems with the neighborhood as well as provide sufficient transportation solutions. The process began with a working group composed of citizens, city officials and two councilmen who developed a process with Heritage Landscape, in accordance with the Flexibility Highway Standards produced by the Federal Highway Administration that outlines the involvement of engineering and landscape design of the area. He noted that the area studied is the confluence of three major traffic generators. He stated that the traffic is a terrible burden on the road and a hardship on the surrounding neighborhood. He explained the nature of the design is intended to be a boulevard rather than a thoroughfare that design would mitigate sound, air quality and traffic issue. It will be a model for the rest of the community. He supports the extension of the TIF District.
- Bryan Eichman, 1701 Ardmore – He noted that it makes sense to extend this TIF district to include the Ardmore Corridor because there is no area that has been more effected by the development of the Jefferson Pointe and other development of the area. The traffic counts have increased since development has occurred. The TIF District needs to be expanded so that the funds from the TIF area can be used to make the roads more able to handle the development in the area.
- Lloyd Porter, 3727 North Washington Road – He noted that he and his wife made a conscious decision to purchase a home within the City limits of Fort Wayne. Passage of this Amendment makes a clear decision for the Ardmore corridor. He feels that the City should move forward with the corridor project, which he feels is a win/win proposition for the City, the residents of Wildwood Park and the surrounding area.
- Steve Souers, 3505 North Washington Road – Mr. Sauers has lived the Wildwood Park addition for 2 years and is a long-time Fort Wayne resident. He elected to say within the City limits and live near Downtown. He suggested that the Hillegas Road could become a bridge to nowhere if the construction of the Ardmore corridor is not done correctly. He noted that there is a lot of traffic on Ardmore from the airport and the surround shopping areas. The homeowners have limited use of the corridor because of the traffic volume. The road is not designed to be pedestrian friendly. He noted that improvements to the roadway will preserve the investments people have made in their homes.
- Rick Lehman, 12435 Ravine Trail, truck driver – Mr. Lehman noted that he worked on the City Council subcommittee to draft the new trucking ordinance for the City of Fort Wayne and then worked on the task force to redevelop the Ardmore Avenue corridor. He noted that from a trucking industry standpoint, truckers do not want to see cars, children and pets running into the road where they may be injured. The trucking industry also does not want trucks speeding through this corridor. He also noted that improvements to the corridor would result in less stopping and starting, and less noise, pollution and use of fuels. Preserving the neighborhood should be concern for this development; there is no other neighborhood in the City that has the volume of truck traffic passing through it. He feels that anything done to the corridor should satisfy both businesses and residential needs.
- Michael Toscos, 1919 Ardmore Avenue – Mr. Toscos built a new home on Ardmore in 1994. At that time he was told that the corridor would not become a major thoroughfare. He noted that there are no sidewalks, guardrails or remedy for stormwater removal. He complained about the trucks on the route and the diminishing of the property values along the corridor.
- Gary Parkins, 3720 North Washington Road – He noted that all the houses have been torn down along the end of his block on Ardmore. He also stated that the noise level along Ardmore has increased. He noted that there was suppose to be some mounding along the road, but at this point nothing has been done.

Those speaking against amending the Jefferson Illinois Road Economic Development Area Plan

Mr. Guerin asked if there was anyone to speak against the proposed lease.

- John B. Kalb, 3720 Mulberry Road – Mr. Kalb noted that he has lived at his residence for approximately 45 years. He stated that the plans for improvements to Wildwood Park would be to his personal benefit, but Ardmore already touches the Jefferson/Illinois Road Economic Development Area. He didn't see any reason for the Amendment. He noted the following in opposition to the Amendment: Item 1 – There will be no public utility or benefit resulting from the adoption of this proposal. He noted that the recipients of the benefits would be the Department of Redevelopment and to a small number of commercial entities, mainly the trucking and motor freight companies. Item 2 - Members of the Redevelopment Department, the administration of the City of Fort Wayne, Common Council and Redevelopment Commission legal counsel continue to tell taxpayers that TIF

revenues can never be used toward the City's General Property Tax levy. He feels this is wrong because Indiana Code specially states that when revenues needed to perform the planned infrastructure improvements are available, the remainder of the TIF revenues will be distributed in the same manner as if the TIF District did not exist. Item 3 – Mr. Kalb questioned how dedicated public rights-of-way can be construed as serving an area without any direct connection to that area. He again maintained that the Wildwood Park area right-of-way is connected to the Amendment area. Mr. Kalb stated that he discussed this with a member of the State Ways and Means Committee and was told that the reason that "in and serving" language was in Indiana Code to fund utilities that would serve the area and the infrastructure improvements intended for those utilities. Per the member's recollection, that Statute never applied to roadways. Mr. Kalb believes that the amendment is another way to "grab" funds from successful economic development projects and use those funds elsewhere.

Mr. Guerin asked two more times if there were others who wished to speak against the Amendment. There were no further responses. The Public Hearing concerning amending the Jefferson Illinois Road Economic Development Area Plan closed.

Those speaking in favor of amending the Washington Center Coldwater Road Economic Development Area Plan

Mr. Guerin asked if there was anyone present to speak in favor of the proposed Amendment. There were not responses. Mr. Guerin asked two more times if anyone was present to speak in favor of the proposed Amendment. Once again, there were no responses.

Those speaking against amending the Washington Center Coldwater Road Economic Development Area Plan

- John B. Kalb – Mr. Kalb stated that his objections were the same for this Amendment as they were for the proposed Jefferson Illinois Road Amendment

Mr. Guerin asked two more times if there were others who wished to speak against the proposed Amendment. There were no further responses. The Public Hearing concerning amending the Washington Center Coldwater Road Economic Development Area Plan closed.

Those speaking in favor of amending the Centennial Industrial Park Urban Renewal Area Plan

Mr. Guerin asked if there was anyone present to speak in favor of the proposed Amendment. There were not responses. Mr. Guerin asked two more times if anyone was present to speak in favor of the proposed Amendment. Once again, there were no responses.

Those speaking against amending the Centennial Industrial Park Urban Renewal Area Plan


- John B. Kalb – Mr. Kalb stated that his objections were the same for this Amendment as they were for the proposed Jefferson Illinois Road Amendment

Mr. Guerin asked two more times if there were others who wished to speak against the proposed Amendment. There were no further responses. The Public Hearing concerning amending the Centennial Industrial Park Plan closed.

Adjournment

Motion to adjourn the meeting by Ms. Wire; seconded by Mr. Obergfell. Meeting adjourned at 5:39 p.m.

Fort Wayne Redevelopment Commission



Judi Wire, Secretary

Adopted 16 June 2008

FORT WAYNE REDEVELOPMENT COMMISSION
Special Meeting – Training for new Commissioners
21 May 2008

TIME: 8:15 a.m.

PLACE: The Gallery, 2nd floor Grand Wayne Center, Fort Wayne Indiana

CALL TO ORDER: Mr. Guerin called the meeting to order at 8:30 a.m.

ROLL CALL: Christopher Guerin
Casey Cox
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
Jim Lindsay, Redevelopment Specialist
John Wallace, Assistant Redevelopment Director
Julie Sanchez, Redevelopment Specialist
Gary Lyman, Brownfield Manager
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet

OTHERS PRESENT: Jim Irwin, Barry Real Estate Group

NEW BUSINESS

Redevelopment Commission Overview – Greg Leatherman

Mr. Leatherman discussed the previous evening's Common Council meeting and Barry Real Estate's Chris Schoen's comments on the sales of the condominiums at Harrison Square. He noted that he and Mr. Irwin informed the Council that the ballpark slightly below budget and ahead of schedule. The parking deck is slightly behind the anticipated timeframe but will come out of the ground in a month. A discussion of the architectural engineering for the ballpark and parking deck was then taken up at the Council meeting.

Mr. Leatherman noted that he has been the director of the Redevelopment Commission for approximately two years and staff before as Brownfield Manager. Between the positions he was the director of Neighborhood Code Enforcement. Mr. Lindsay and Mr. Wernet have served the Redevelopment Commission for several years each. The Redevelopment Commission has changed over time. Much of what the Redevelopment Commission and Redevelopment Department is charged with and allowed to do is dictated by State Statute. The State enables the creation of Redevelopment Commissions by cities, counties and towns and allows the uses of funds and also allows them to finance debt. There was a time when the Redevelopment Commission had access to General Obligation Bonds for projects that went beyond TIF revenues. Mr. Wernet noted that 1983 was the last GO Bond that the Redevelopment Commission did; it was used for Midtowne Crossing and the temporary public library and some other minor projects. The Redevelopment Commission has helped obtain real estate and funds for the Hilton Hotel. In the mid-1980, tax increment and tax abatements became the only incentives available for economic development and Urban Renewal Areas. Most of the development was downtown until State Statute changed and allowed Economic Development Areas. Mr. Lindsay noted that the first Economic Development Area created was Washington Center/Coldwater Road in 1989. The opinion at the time was that the development of Coldwater Crossing would provide the tax increment revenues that would allow needed infrastructure improvements along those two corridors and assistance in completing the I69 interchange. Mr. Lindsay delineated projects in the Washington Center/Coldwater Road area. In answer to Mr. Cox's question, Mr. Lindsay noted that when the Redevelopment Commission ceases collecting tax increment, the base remains the same but those property assessments return to the Auditor to be split among all the taxing districts. Usually in June of each year a Resolution is prepared that delineates the tax increment need from each district and the districts from which the Commission does not intend to collect tax increment. In the beginning taxing districts were created for 50 years but in 1996 legislation changed and districts completed after that date were for 30 years. If the Redevelopment Commission wanted to continue collecting increment from a certain taxing district, it would have to create a new allocation area and the base would go up to the current assessed level. Amendments to the area have a life of their own and do not extend the life of the initial area. The base of the original plan stays the same, but with each Amendment the base changes for the amended area. Mr. Leatherman noted that all procedures for the Redevelopment Commission are set by State Statute including how the Commission should be appointed and the role of Staff to the Redevelopment Commission. The Statute provides many powers to the Commission that

aren't granted to any other body. The Commission has the power to acquire real estate, to collect increment and the ability to bond against that increment to do projects. The Redevelopment Commission for many years operated under a different philosophy than it does now. Under Graham Richard's administration, the Redevelopment Commission changed to integrate the Department of Redevelopment with the rest of the City departments, particularly utility departments including both the "dry" and the "wet" departments. While the Redevelopment Department had always been involved in that kind of operation, there weren't regular meetings between those bodies. These meetings include information regarding what projects might be able to be partially funded from tax increment that were currently being contemplated by the utility departments; where the TIF areas overlap with the needed areas for transportation and infrastructure installations. The Administration had a real desire bring the Redevelopment Commission and the Redevelopment Department closer. The Redevelopment Commission is now helping more with infrastructure projects than it had done in the past. Mr. Leatherman noted that the Fort Wayne Redevelopment Commission has been less aggressive than other communities across the State regarding creatively using the powers of the Commission. He feels that Fort Wayne has stayed well inside the line regarding the Redevelopment Commission powers. The Commission today exists to do two things: acquire land for redevelopment and to help the City adapt and respond to development needs, whether it is helping with infrastructure needs or a project like converting Apple Glen Blvd from a private drive to a public right-of-way. The goal of the Redevelopment Commission is to maximize the TIF funds that are collected and respond to the infrastructure needs of the City. Mayor Henry is trying to maximize ways the revenues Redevelopment Commission receives in the areas where increment is collected to supplement and cooperate with the utilities. Mr. Cox asked how these projects come to the Redevelopment Commission and Mr. Leatherman answered that some projects come before the Redevelopment Commission as land that is in need of redevelopment and a visionary process ensues; i.e. OmniSource property, former Dimension Ford property, former Falstaff Brewery. The best time to redevelop these properties is when there is the least amount of development on the site and the lowest property tax base possible, i.e. Southtown Mall. Other kinds of projects are generated by discussions with the Board of Public Works. Staff looks ahead to where development is beginning to occur and anticipate the impact of new development on the existing infrastructure. Projects are also generated from the work of the Fort Wayne/Allen County Economic Development Alliance. A discussion of the GM plant development and the Baer Field Development as it was defined by "red" and "green" zones ensued. Mr. Wernet noted that the Redevelopment Commission's disposition statute is more favorable to putting limitations on what a buyer can do when property is conveyed from the City and is more flexible in how things can be done. Occasionally the Board of Public Works and other public entities have transferred property to the Redevelopment Commission jurisdiction so the Commission can act as a conduit for development. In the case of the State, it has transferred property to the Redevelopment Commission and stated what should be done with it, as in the case of the development of the Northeast Indiana Innovation Center. Mr. Cox asked if there were any projects the Commission would not do and Mr. Leatherman replied that sometimes a City department will ask us to fund a project where there is no TIF District anywhere near. Mr. Lindsay noted that there is a statutory provision for Redevelopment Commissions to be involved in housing, but City Administration chooses to have the Office of Housing and Neighborhood Services do those types of projects.

Harrison Square Project Update – Jim Irwin, Barry Real Estate Group

Mr. Irwin stated that the estimates for the ballpark were \$30 million, approximately \$12.6 million for the parking deck for and \$10 million for infrastructure improvements spread out over the entire project. Hardball Capital originally agreed to contribute \$5 million of private capital or 20% of the cost of the ballpark. The Agreement was that \$5 million would go toward in-kind contributions to the stadium. These are things that Hardball could potentially "get a better deal" on by privately negotiating costs. This scenario has turned out to be true. Mr. Leatherman noted that one of the good things about Hardball contributing in this way is that, because they own multiple teams and as an entity will continue to be involved with ownership of teams and possible construction of teams in other parts of the county, vendors want to deal with them a lot more than they want to deal with the City of Fort Wayne on a one-time basis. Hardball can drive a bargain. Mr. Irwin noted that good example of that is the recent contract for a Video Board, which he believes will be the second largest video board in minor league baseball. As a good faith effort to do business with Hardball, the vendor added an additional board at no cost that wasn't in the original plan. So there will be two 20-foot video boards on the outfield wall. The Hardball contribution is now \$5.6 million with Hardball's commitment to build 4 extra suites at their expense (The suites have all sold). A discussion of the Naming Rights ensued. Mr. Irwin explained the \$5.6 million will be used to purchase the scoreboard (approximately \$1.5 million), the stadium lighting (Hubble Lighting contract), the stadium seating, kitchen equipment, furniture, fixtures and equipment (all the loose seating in the stadium including office furniture and equipment). Mr. Irwin stated that no matter what Hardball ends up purchasing, the contribution will be exactly \$5.6 million. He assured the Commission that if Hardball cannot find \$5.6 million to spend on in-kind, the remainder will go into the project costs. Mr. Irwin noted that soon there will be change orders coming before the Commission for value engineering savings negotiated with the contractors. The only bids outstanding are those for the lift pump

station and the hardscape/landscape package. He also noted that within the \$55.6 million umbrella, is a \$4.7 million held as project contingency – nearly 5%. Mr. Leatherman noted that if there are funds left in the project budget, the money will be used to upgrade the curbs, sidewalks, etc. on the opposite sides of the ballpark. Mr. Irwin suggested that part of the leftover contingency could be used to wire the stadium to make it a fiber-optic center. Mr. Cox asked what entity provided the maintenance for the stadium, i.e. groundsmen, ticket takers, etc. Mr. Wernet answered that the Stadium License/Stadium Management Agreement provides Hardball as the Stadium Manager. Hardball would provide most of those kinds of services at their cost. Half of the proceeds from the naming rights would go into a fund for long-term capital maintenance. There will be an Advisory Commission established that will include the president of the Grand Wayne Center, the president of the Downtown Improvement District, and others who will work with Hardball to make recommendations to the Redevelopment Commission for the long-term hard maintenance projects. Hardball will maintain the property inside the fence including concourse, security, etc. and outside would be the obligation of the Redevelopment Commission or the City depending on the event. The Park will be maintained by the Parks Department.

Open Government – John Wernet

Mr. Leatherman asked the Commissioners if there are things that Staff is not doing that it should be doing relative to releasing information. He noted that Mr. Wernet will also be addressing the exclusions to the Open Door law that the Redevelopment Commission can legally use. Mr. Wernet stated that the Redevelopment Commission typically meets in Open Session, meaning staff gives 48-hour notice and no one is excluded from the meetings. The Redevelopment Commission can meet in Executive Session, typically for discussions concerning the purchase of real estate or pending or threatened litigation. Notice is provided to the media and public, but for those kinds of discussions the meeting is a closed session. An Executive Session is the only time the Redevelopment Commission meets in closed session. A Public Hearing is different than a Regular Meeting. Anyone can attend a Regular or Special Meeting, but that does not mean that they can speak. A Public Hearing is the only time the public is asked to speak. The Redevelopment Commission historically has held very few Executive Sessions.

The Redevelopment Commission is obligated under the Open Records (FOIA) law, to provide public records to citizen. The exceptions to that are related to internally-generated, discursive types of things. For example, if there is a group that meets on a regular basis to discuss a project those documents are not public because they are discursive and have not been presented to the Redevelopment Commission. A discussion of the various types of FOIA requests ensued. Mr. Leatherman stated that the law states that a body does not have to create a document to respond to a request. If the document exists then it is subject to the FOIA laws. Some people think that we have documents that fit their criteria and we don't; we are not obligated to create those documents to fit someone else's criteria. Ms. Wire noted that several members of Common Council feel that the Redevelopment Commission meets at an inconvenient time. She noted that the most of the County meetings are held during the day. Ms. Wire also noted that in the circumstance of the Redevelopment Commission's purchase of property, she felt that it was prudent to purchase the property without a public meeting because if some people knew the City was about to purchase property, the prices would go sky-high and it would invite speculators who might prey on unsuspecting property owners – paying the prices that would ensue is also not a prudent use of taxpayer dollars. Mr. Leatherman noted that the property at Harrison Square was option without public knowledge; but the property was not bought without public knowledge. A discussion of assembling land at previous sites for a downtown catalyst project ensued. Mr. Leatherman stated that he has been approached about the dates of the meetings and how they do not always occur on the third Monday of each month. He explained that because of time constraints that come with some contract approvals, there are times when Special Meetings must be called and the Regular Meeting cancelled. The Redevelopment Commission has been accused of trying to hide the meetings when what is really happening is that we are trying to be responsive to the needs of a project. There has been some comment concerning publishing all the Resolutions prior to the meetings. It is the opinion of legal counsel that those documents are released to the public and the media after they are adopted. The Agenda is posted before the meeting. Mr. Cox asked if the Redevelopment Commission could be on City TV. Mr. Leatherman answered at this time there are no plans to televise the Redevelopment Commission meetings. If the Commission members would want that, he will look into what needs to be done. Ms. Wire noted that Plan Commission meetings are not televised live; there is about a two-week lag. Mr. Guerin asked if the audio of the meeting could be available on-line.

TIF Spreadsheet – Greg Leatherman & Jim Lindsay

Mr. Leatherman distributed a spreadsheet that delineated all the TIF Allocation Areas. The ones first on the spreadsheet are those that are active and from which the Redevelopment Commission collects increment. Mr. Lindsay noted that the values on the spreadsheet denote 2006 pay 2007 data. The 2007 pay 2008 values have not yet been approved by the State. Mr. Lindsay then gave an overview of the methodology used to compute the tax increment including the current neutralization. A discussion of the bond market ensued. Mr. Leatherman noted that

most of the Redevelopment Commission bonds have a reserve fund to allow for any short-term shortfall in funds. Mr. Wernet noted that there are always three payments for property tax-backed bonds in a fund to ensure that if something needs to be put on the tax role a year and a half is needed to put the tax in place and received. Mr. Wernet also stated that on the spreadsheet that was distributed states the debt service on the bonds but the tax increment collected is not the total revenue received from all sources. The debt service for both the Grand Wayne Center and Harrison Square include CEDIT revenues and funds pledged by private entities – there may be 3 or 4 different sources of revenue that are paying debt service. Mr. Lindsay explained that the Grand Wayne Center has 8 different funding sources for the debt service. Mr. Leatherman noted some of the projects that are expected to be funded with TIF revenues in the future. Mr. Oberghell asked about the collection of TIF revenues and in particular those in the Washington Center/Coldwater Road Economic Development Area. Mr. Lindsay explained that the Redevelopment Commission collects only a fixed amount from that area instead of collecting that area. The Commission only collects \$100,000.⁰⁰ based on the projections of what the needs for funding improvements are relative to projects. Mr. Wernet noted that some Board of Public Works projects will either be partially or wholly funded by TIF revenues. Mr. Leatherman used the expansion of the Ardmore corridor as an example. Several years ago a decision was made that, through TIF, the Redevelopment Commission would fund the entire project, both the widening of Ardmore and the intersection. With input from the utilities, a budget of \$4 million was established to do the widening and an additional \$625,000.00 for the intersection. A task force was formed to gather input from neighborhoods, city officials, staff and elected bodies to get to a point on which all could agree. For whatever reason, Redevelopment Commission staff and members were not included in that task force. In the process, this task force met for a long time and determined a set of ground rules that established a new project with a totally new budget, with a totally separate design standard to satisfy all parties with the idea that the Redevelopment Commission was still going to fund the entire project. The Redevelopment Commission has had no input into what that project will look like. It may be entirely appropriate, if funds are available, to have the Redevelopment Commission commit all the necessary funds to do whatever this project is designed to accomplish. It still is the Redevelopment Commission's decision as to where to commit those revenues and to vote those additional funds in a Resolution format. Bob Kennedy, Dave Ross and those responsible for this project are going to come to the Commission at the appropriate time to lay out what that project now looks like. When that happens, the Commission members and Staff will finally see the current design, what is involved, how much land is being acquired, what are the soundproofing techniques, what are the landscaping requirements, how many lanes are added, etc. The Board of Public Works bid the intersection and the cost is now \$1.225 million, up from the \$625,000.⁰⁰ that the Redevelopment Commission originally agreed to fund. The Board of Public Works moved forward knowing that this body has only committed \$625,000.⁰⁰ to that project. This project should be an opportunity to readdress the role of the Redevelopment Commission concerning TIF funds and City Council's using TIF funds for projects. It is the responsibility of this Commission to commit those funds and no other body's responsibility. Mr. Leatherman has been told by staff of the Board of Public Works that there are not additional funds, other than TIF, identified at this time. There have been discussions about what if the Commission does not fund the additional improvements or if TIF revenues cannot sustain paying for those improvements; the discussions have included what other options might be available. The most obvious source would be CEDIT funds, but those revenues are being used to fund many things as a result of reduced property taxes to the City as a result of State legislation. The question will be how many years will the Redevelopment Commission be tied into funding the debt for those improvements on Ardmore and how many years will there not be funds to do any other improvements using those TIF revenues. The Commission would lose its flexibility to deal with other opportunity projects if there were no additional capacity because it was all going to fund the debt for Harrison Square and the debt for the Ardmore widening. Mr. Wernet noted that another caveat was that the original Ardmore widening funding was going to come from Baer Field and Centennial Park TIF funds, but the legislation has now pushed that funding to Jefferson Pointe. There have already been talks with Ice Miller and other political bodies about the intent of the legislation. There might be better than a 50/50 probability that there will be some massaging of that legislation. What we have already spent from Baer Field is already legally spent from those TIF revenues, but after July 1 the funding will have to come from the Jefferson/Illinois Fund and not from Baer Field even though it was obligated from Baer Field funds. Our payment for the improvements is through a reimbursement agreement with the Board of Public Works and therefore not payment on debt service or a payment on our own contract. Mr. Guerin asked about the Ardmore corridor expenses as it relates to the Baer Field and Centennial Park TIF areas. Mr. Leatherman explained that if the Jefferson/Illinois or any other TIF area had not been adjacent to the planned improvements, the State legislation would have prevented the Redevelopment Commission from paying for any of those improvements. The Resolution that connected the Jefferson/Illinois area to the Ardmore improvements is what will allow the Redevelopment Commission to pay for the improvements with Illinois/Jefferson TIF funds. Mr. Guerin noted that when the Ardmore project, now to be funded by Illinois/Jefferson TIF, is brought before the Commission he would like to see what other projects might be funded with that money, i.e. Dimension Ford. Mr. Leatherman stated that he will have a list of possible projects that might also be funded by those TIF revenues that staff believes would be of public benefit and that the Redevelopment Commission

should consider as projects to fund. Mr. Obergfell would like an accounting of the total funds available from each district, not just what the Redevelopment Commission collects to fund projects.

Mr. Lindsay read part of a memo from Umbagh, an Indiana-based CPA firm, which references the form of the Resolutions approved at the May 12, 2008 meeting. The Advantages section reads in part: "Although the 'physical connectedness' requirement for expenditure of TIF funds is not applicable in all circumstances, the law may be made more restrictive in the future, so it may be prudent to expand the TIF Area to include improvements that are not physically connected to (but would serve or benefit) the TIF Area if you intend to fund such improvements with TIF".

A discussion of the older Urban Renewal Area where no increment is either generated or taken ensued.

Explanation of Economic Development Areas and Urban Renewal Areas

Mr. Lindsay explained that there are some very important key differences between an Economic Development Area and a Urban Renewal Area. Each of the areas can be a tax allocation area. Most of the time the boundaries of the Economic Development Area or the Urban Renewal Area are co-terminus; but they don't have to be. The classic example of the Urban Renewal Area is the Civic Center Urban Renewal Area. It was first established in 1980 for the Grand Wayne Center, hotel and parking garage projects. Amendment I was One Summit Square, Amendment II was for Midtowne Crossing; Amendments III, IV and V dealt with the Renaissance Square area; Amendment VII was the Wells Fargo Center and VIII and IX were for the Courthouse Green and Amendment X was the Grand Wayne Center expansion. One of the fundamental building blocks for revitalization of an Urban Renewal Area is addressing blight, cessation of growth and lack of development. Those factors have to be documented through a formal process and methodology that substantiates that those factors exist. Because of the state of affairs with both the Wells Fargo site and Midtowne Crossing, the document was also addressing vacancy, obsolescence, substandard buildings and deterioration. All of those factors are used to define that area as blighted. This is the process used for analysis of an area. After the study and plan are completed a Declaratory Resolution is submitted to the Redevelopment Commission for their consideration. If the determination of blight, as prescribed by the State, is upheld by the Commission and the Declaratory Resolution is passed, the next step is consideration by the City Plan Commission. The Plan Commission's statutory obligation is to make a determination if the Redevelopment Plan meets the general plan of development for the City of Fort Wayne. If it is not approved, it will come back to the Redevelopment Commission to either be rescinded or redefined. If it is approved, the Plan goes to Common Council for the normal Council review and approval. After that a Public Hearing is held and the Redevelopment Commission votes on a Confirmatory Resolution that is confirmed, modified and confirmed or rescinded. The power of Eminent Domain resides within the powers of an Urban Renewal Area designation. If eminent domain is to be used there will be a delineation of properties targeted for acquisition, values and appropriate notice to affected property owners that follows State Statute. A discussion of the tax advantages attributable to owners of condemned property and eminent domain ensued. Mr. Wernet noted that State Statute for the use of eminent domain will change on 1 July 2008.

Mr. Lindsay stated that an Economic Development Area does not have to address blight and the other statutory factors that must be addressed in the creation of an Urban Renewal Area. The characteristics of Economic Development Area include Greenfield, industrial park and retail development. The original Economic Development Area was Jefferson/Illinois Road Economic Development Area that included the Apple Glen/Jefferson Pointe developments. That area had been targeted since the early 1980s for retail development. The Redevelopment Commission's role in these developments is to provide assistance with needed infrastructure improvement to facilitate growth. The tax increment received from the increase in property taxes is then used to repay the debt service. The Redevelopment Commission has been asked to use TIF funds to pay for improvements that the City, through its Board of Public Works, could not pay on its own at that time. There is no power of eminent domain with the creation of an Economic Development Area. Typically the findings under Statute that must be found are job creation, public benefit and safety, and other economic development spin-offs from the ensuing development. Mr. Wernet noted that an Economic Development Area is typically prescribed for an area that will need infrastructure improvements because of development. Mr. Lindsay noted that in an Urban Renewal Area the Redevelopment Commission can amend the plan by Resolution if the area being added is less than 20% of the Urban Renewal Area. Anytime an Economic Development Area is amended, regardless of the nature of the Amendment and if it is more than 20% of the area, it must be approved by Common Council.

Annual Report – Mr. Leatherman distributed the 2007 Annual Report. He noted that not only does it include activities in TIF Allocation areas but includes all activities in which Staff has been engaged. It is a thorough and comprehensive review of all the activities of Redevelopment Commission staff. The last page includes the statement of disbursements. Receipts and cash balances through the end of 2007.

Open Discussion – Mr. Obergfell would like to see the amount of all the available TIF. Mr. Guerin would like a delineation of potential future development in the City for which the Redevelopment Commission might be asked to participate, i.e. OmniSource. Mr. Guerin asked about the status of the OmniSource property and Mr. Leatherman replied that the property has been designated a Urban Renewal Area and contains the entire OmniSource property and additionally a small amount of City-owned property along the river, right-of-ways and a small segment of the railroad spur.

Mr. Cox asked about amount of the annual Brownfield funds and Mr. Leatherman replied that those monies come from CEDIT revenues. The annual allocation is \$300,000.⁰⁰. A discussion of Phase I funding ensued and Mr. Leatherman noted that a Phase I study is most helpful as a point of negotiation with a potential seller. He feels that it is wise for a potential purchaser to be in control of price, understand the liability, condition and responsibility contained in the Phase I study.

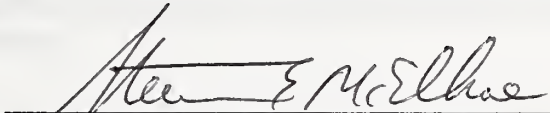
Mr. Leatherman stated that both City and County Redevelopment were asked by Allen County Government if there would be any ability to contribute to the repayment of the debt that might be incurred by the Maplecrest Road Bridge improvements. Under the determination of the Redevelopment Commission, should there be a point where the TIF generated by improvements and investment in Adams Center Industrial Park exceeds the requirements to add infrastructure to host those improvements, the Redevelopment Commission would pledge excess TIF funds if there were debt incurred for the improvements for Maplecrest Road. Adams Center Road borders the Industrial Park and if there were an improvement to that right-of-way it would have a positive impact on the marketing of the lots within Adams Center Industrial Park. The Redevelopment Commission will make the decision as to what are really excess funds. The intermodal facility that has been discussed between the Redevelopment Commission and the Alliance is still alive. There is still reasonable optimism on the part of the entities involved that Fort Wayne is still in the running to have an intermodal park at Adams Center Industrial Park. The facility would generate additional jobs and investment in the park.

F. OTHER BUSINESS

None

ADJOURNMENT – Motion to adjourn by Mr. Obergfell; seconded by Ms. Wire. Meeting adjourned at 11:00 a.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

Adopted: 21 July 2008

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
16 June, 2008

TIME: Immediately following the Executive Session

PLACE: Room 128, City County Building, One East Main Street, Fort Wayne Indiana

CALL TO ORDER: Mr. Guerin called the meeting to order at 5:22 p.m.

ROLL CALL: Christopher Guerin
Casey Cox
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
Jim Lindsay, Redevelopment Specialist
Julie Sanchez, Redevelopment Specialist
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet

OTHERS PRESENT: Jim Iddins, Weigand Construction
Ted Nitza, Board of Public Works, City Utilities

ALLOWANCE OF CLAIMS Motion to allow Claims of April 2008 by Ms. Wire; seconded by Mr. Cox. Motion approved unanimously

APPROVAL OF MINUTES Motion to approve Minutes of 12 May Special Meeting by Mr. Cox; seconded by Ms. Wire. Motion approved unanimously

NEW BUSINESS

Resolution 2008-46

Approving a contract with Hamilton Hunter for Bid Package #20 (Streetscape, Entry Plaza, Public Park and Parking Lot) for the Harrison Square Baseball Stadium project
Resolution deferred pending further investigation

Resolution 2008-47

Approving a contract with Gerig Ottenweller for Bid Package #21 (Stormwater Pump Station and Concrete Retaining Wall) for the Harrison Square Baseball Stadium project.

Mr. Leatherman noted that legal notices were published in both the Journal Gazette and News-Sentinel on 14 May and 21 May 2008 to advertise Bid Package #21 for a Stormwater Pump Station and Concrete Retaining Wall for the Harrison Square project. A Special Meeting was held on 5 June to open the 4 sealed bids that were received. The lowest and most responsible and responsive bid was from Gerig Ottenweller in the amount of \$785,000.⁰⁰. The bid was reviewed by Redevelopment Commission Staff, the Project Coordinator and the Construction Manager. The recommendation from all was to accept the base bid as presented. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2008-48

Approving Change Order #1 to a contract with Hagerman Construction Corporation for the Harrison Square Baseball Stadium project

Mr. Leatherman stated that after discussions with HOK, Barry Real Estate Group and Weigand Construction it was determined that because of timing issues the project would move forward most expeditiously if the left field retaining wall was completed under the Redevelopment Commission's contract with Hagerman Construction. The wall was to be part of the work undertaken by the condominium developer and would then be reimbursed to Barry Real Estate Group by the Redevelopment Commission upon completion. A credit for \$118,500.00 will be deducted from the budget for the residential/retail project and applied toward the stadium budget. This would have no impact on the cost of the stadium because it was a reimbursable expense to the condominium developer. The Change Order adds \$118,505.⁰⁰ to the contract with Hagerman Construction bringing the revised contract to \$4,240,805.⁰⁰. Motion to approve by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2008-49

Approving Change Order #1 to a contract with A. Hattersley & Sons for Bid Package #15 (Plumbing, Mechanical and Sheet Metal) for the Harrison Square Baseball Stadium project

Mr. Leatherman stated that value engineering has been completed for the plumbing, mechanical and sheet metal contract with A. Hattersley. The process included indentifying substitutes and alternatives to equipment and materials originally specified in the construction documents. These value engineering changes meet all current local codes and performance criteria. This value engineering change order is in the amount of \$206,653.⁰⁰ and brings the revised total contract cost to \$2,693,347.⁰⁰. Redevelopment staff, the Project Coordinator and Construction Manager recommend this reduction in the cost of materials. Motion to approve by Mr. Cox; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2008-50

Approving the collection of tax increment from property taxes on real estate located within the Civic Center, Summit Industrial Park, Centennial Industrial Park, Jefferson/Illinois Road, Maysville/Stellhorn Road, Illinois/Getz Road, Washington Center/Coldwater Road, Baer Field, Tillman/Anthony and Lima Road/Ley Road tax allocation areas

Mr. Lindsay noted that each year the Redevelopment Commission must delineate the amount of tax increment needed to fund debt service, Commission obligations and the construction of public improvements in and serving Urban Renewal Areas and Economic Development Areas. He stated that tax increment from the Civic Center Urban Renewal Area is needed to fund debt service and related obligations of the 1998 Civic Center Bond and the Fort Wayne Redevelopment Authority Grand Wayne Center Lease Rental Revenue Bond 2003. Tax increment from Summit Industrial Park is necessary for anticipated public improvements in and serving that Urban Renewal Area. Increment collected from the Tillman/Anthony Urban Renewal Area will be necessary to fund debt service and related obligations of the 2005 Fort Wayne Redevelopment Distruct Bond issue as well as related infrastructure obligations. Jefferson/Illinois TIF revenues will be necessary to fund debt service and related obligations of the 2007 Fort Wayne Redevelopment Authority Lease Rental Bonds, Series A and B. Tax Increment from the Baer Field Economic Development Area will fund public infrastructure improvements in and serving the Economic Development Area pursuant to agreements with Allen County and the City of Fort Wayne. Public improvements and related costs in Centennial Industrial Park Urban Renewal Area and Maysville/Stellhorn Road, Washington Center Coldwater Road, Lima/Ley Road and Illinois Getz Road will be funded with tax increment revenues all pursuant to the respective Urban Renewal Area/Economic Development Area plans. Mr. Lindsay explained that this resolution sets the stage for collection of the tax but the increment collected depends on the amount available above the base assessed value generated by the district. A discussion of proposed projects ensued. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2008-51

Approving funding for public infrastructure improvements in and serving the Centennial Industrial Park Urban Renewal Area

Mr. Lindsay stated that the budget for this project was previously approved. There have been problems at the intersection of Butler and Hillegas for some time because of the marked increase in utilization of the Ardmore/Hillegas corridor. In 2006 a conceptualized \$.5 million budget was approved. The scope of the work was redone by the City Engineer. The budget costs have increased to \$1.0 million. Approximately \$.75 million is denoted for construction and increased costs have been realized related to right-of-way acquisition. The amount to be paid for these improvements is a not-to-exceed figure. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2008-52

Approving funding for public infrastructure improvements in and serving the Baer Field Economic Development Area

Mr. Leatherman noted that this project was presented to the Redevelopment Commission by Mr. Nitza in May. There will be a Memorandum of Understanding between the Redevelopment Commission and the Board of Public Works Utility Department. The Memorandum of Understanding puts into language the scope of the project which is to establish additional water infrastructure improvements to the Baer Field Economic Development Area and extend those improvements along the Airport Expressway to the General Motors plant. It provides significant improvements in the airport area corridor and provides redundancy to the General Motors plant. The improvements will provide infrastructure for future commercial/industrial development along that corridor. Mr. Nitza stated that there have been several inquires from property owners along the corridor and the Fort Wayne/Allen County Economic Development Alliance asking when these utility upgrades will be done. The costs of these improvements will be borne by the Utility Department and the Redevelopment Commission will reimburse approximately \$4 million of the costs. Mr. Wernet noted that the finalized Memorandum of Understanding will be brought before the Redevelopment Commission for approval. Mr. Nitza restated the infrastructure improvements

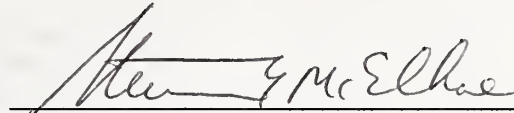
envisioned. The contracts will be those of the Utility Department. Motion to approve by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

F. OTHER BUSINESS

- **None**

ADJOURNMENT – Motion to adjourn by Ms. Wire; seconded by Mr. Obergfell. Meeting adjourned at 6:00 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

Adopted: 21 July 2008

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
21 July, 2008

TIME: 4:00 p.m.

PLACE: Room 128, City County Building, One East Main Street, Fort Wayne Indiana

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:03 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Obergfell
Steve Corona

STAFF PRESENT: Greg Leatherman, Executive Director
Jim Lindsay, Redevelopment Specialist
Gary Lyman, Brownfield Manager
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet

OTHERS PRESENT: Jim Iddins, Weigand Construction
Dave Ross, Traffic Engineering
Carol Taylor, Attorney, City of Fort Wayne
Dan Brenner, Property Manager, City of Fort Wayne
Larry Graham, Community Relations, NIPSCO

ALLOWANCE OF CLAIMS Motion to allow Claims of May 2008 by Mr. McElhoe; seconded by Mr. Cox. Motion approved unanimously

APPROVAL OF MINUTES Motion to approve Minutes of 21 May Special Meeting and 16 June 2008 by Mr. Cox; seconded by Mr. McElhoe. Motion approved unanimously

NEW BUSINESS

Mr. Guerin introduced Mr. Steve Corona from Fort Wayne Community Schools, the newest member of the Redevelopment Commission, who sits on the Commission as a non-voting advisory member effective 1 July 2008.

Resolution 2008-53

Approving the Exercise of Option and the sale of Parcel No. 3 at Southtown Centre

Mr. Wernet noted that under the Agreement with Southtown Centre, LLC when they sell a parcel at Southtown Centre they exercise their option to acquire. Tract 3, a one acre parcel immediately north of the Firestone tract, has been sold for use as a car wash. The Redevelopment Commission will be paid 50% of net sale proceeds. The sale price was \$392,000.⁰⁰; the Redevelopment Commission will receive approximately \$175,000.⁰⁰ after payment of expenses. Closing is anticipated this week. Mr. Wernet explained that Southtown Centre LLC is the developer for Southtown Centre and as such incurred all the costs for infrastructure and build outs. The proceeds of the sale go to the Controller's Office to be used for debt service on the taxable and nontaxable bonds that were used to develop the property. Marketing of the property continues with an emphasis on a sit-down restaurant. A discussion of the available tracts ensued. Motion to approve by Mr. McElhoe; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2008-54

Approving funding for public infrastructure improvements in and serving the Jefferson/Illinois Road Economic Development Area, as amended

Mr. Leatherman explained that the Commission had previously committed \$625,000.00 toward the improvements at the intersection of Ardmore and Taylor Street. Some time has elapsed and there have been some changes to the design scope, including taking the intersection improvements to the south to match up with Covington Road improvements and additional land acquisition that anticipates the widening project to the north. The Board of Public Works bid the project and the actual contracted bid amount was more than the anticipated \$625,000.⁰⁰. Staff

has worked with the Utility Department concerning the amount pledged by the Redevelopment Commission. Dave Ross of Traffic Engineering explained that this project is a classic example of scope creep (the increase in the scope of work beyond what is normally expected). It started out as a basic intersection project with traffic signalization. As the project progressed it was determined to add additional roadway improvements that would tie into the improvements at Covington Road. At that time, Traffic Engineering believed that those improvements should add a few hundred feet of roadway improvements. After those improvements were engineered, a recreational trail was being designed to extended to the north and the thought was to extend the trail through the intersection at Covington Road and tie it to those intersections. At that time, Traffic Engineering decided to purchase additional land to the north on the northeast and northwest corners for the Ardmore widening project. The most expensive property to purchase was Chateau Wildwood to the northwest. The Nash property would be totally purchased because the structures are very close to the intersection and needed for turning radiuses and other truck improvements for the area. As the project progressed, the Ardmore Avenue Committee chose what they called "The Green Scheme" for the widening project to the north. The intersection was designed to be a straight intersection at Taylor Street, but because "The Green Scheme" proposed removing all the driveway approaches on Ardmore Avenue and there is no requirement for any platooning of traffic from the south, an auxiliary right turning lane was proposed for westbound traffic turning northbound onto Ardmore and therefore increasing the efficiency of the traffic control signal. Mr. Ross explained that what started as a standard traffic control intersection project has moved to elaborate area improvements. Consequently, Traffic Engineering is requesting additional funding to pay for improved scope of work. Mr. Wernet noted that an amendment to the resolution will state that funding would be coming from Jefferson Illinois and/or Baer Field TIF. Mr. Ross stated that some of the property to be acquired will be paid by monies from the Recreational Trail project. Mr. Ross noted that the contract for this work has already been awarded to Brooks Construction and work is ready to begin. Mr. Ross stated that the work came in lower than the Engineering estimate, projected to be 1.9 million, but the bid was \$1.075 million. Mr. Cox asked how a contract could be bid without funding for the excess work in place. Mr. Ross explained that at this time utility relocation is the only work being done. Mr. Ross stated that if the Redevelopment Commission does not approve the funding other sources will have to be found, maybe from RL&S (gasoline tax) but that would deplete all resources. A discussion of the funding from Baer Field and Jefferson Illinois Road TIF funds ensued. Motion to approve Resolution with change to add Baer Field TIF funds to the funding sources by Mr. McElhoe; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2008-46

Approving a contract with Hamilton Hunter for Bid Package #20 (Streetscape, Entry Plaza, Public Park and Parking Lot) for the Harrison Square Baseball Stadium project

Mr. Leatherman noted that the next six resolutions have been discussed by this Body at previous meetings. Mr. Iddins stated that the Hamilton Hunter bid was some time ago and Weigand has been working with them concerning Value Engineering. Next month, a recommendation for a deduct of approximately \$130,000.⁰⁰ will be brought before this body. Mr. Leatherman noted that this contract not only includes the cost of the streetscape but also the costs to construct a public park. The Parks Department will also pay up to \$500,000.⁰⁰ for costs to construct the park; the actual bid is approximately \$486,000.⁰⁰. Motion to approve by Mr. Cox; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

Resolution 2008-55

Approving Change Order #1 to a contract with Almet, Inc. for Bid Package #5 (Structural Steel) for the Harrison Square Baseball Stadium project

Mr. Iddins noted that in the base bid there were funds set aside for allowances. This money is being pulled back into the budget for design changes. HOK will be paid \$40,000.⁰⁰ for the design. Motion to approve by Mr. McElhoe; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2008-56

Approving Change Order No. 1 to a contract with Fleming Excavating, Inc. for the Harrison Square Baseball Stadium.

Mr. Leatherman noted that early in the design and estimating portion of this project there were some estimates about how much dirt would have to be moved to create sufficient underwater storage of stormwater. This \$300,000.⁰⁰ increase will respond to additional requirements for the stormwater detention on the parking deck/hotel side of the project. There is a higher standard for retention/detention on site than was originally considered but the benefit is having to do less work on the baseball/condo side. There were significant cost savings to install the pump station and the detention area for the ballpark. Because of the significant reduction on the one side of the project, this Change Order has less impact on the entire construction budget. Mr. Iddins noted that the site and earth work as well as the utilities and dewatering were bid in October 2007, well ahead of the final design of the stadium and infrastructure. Beginning those projects at that time allowed the project to meet its completion target of April 2009. In January 2008, HNTB was hired along with City Utilities to analyze the groundwater. Some of the changes that

needed to be implemented were the detention system needed to be increased by $\frac{1}{3}$; the lines along Jefferson were increased from 30 inches to 36 inches; new lines were run along Douglas to the new Parking Garage (not in the original project); and new inlets for the storm system added. City Utilities is working with DLZ to design a new line along West Brackenridge and Ewing so connections had to be adjusted to the new design. A sanitary grease trap was added to the Condo site and the Parking Garage and a new water line was added to the Parking Garage. A discussion of the Contingency Budget ensued. Motion to approve by Mr. McElhoe; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2008-57

Approving Change Order No. 1 to a contract with L. A. Electric for Bid Package #17 (Electrical) for the Harrison Square Baseball Stadium project

Mr. Iddins noted that this is the final value engineering for the electrical bid that has been intensely value engineered. Two of the major items that were value engineered were the allowance that was reduced by \$100,000.⁰⁰; the fixture storage allowance was reduced by \$50,000.⁰⁰. L.A. Electric reduced their generator package costs by \$4,000.⁰⁰; there were some electrical items that reduced the budget by more than \$180,000.⁰⁰. Motion to approve by Mr. Cox; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2008-58

Approving Change Order No. 1 to a contract with Schindler Elevator for Bid package #14 (Hydraulic Elevators) for the Harrison Square Baseball Stadium project

Mr. Iddins stated that there was a single bidder for the elevator package and it was originally over budget. After working with Schindler, the package is now approximately \$5,000.⁰⁰ under budget. Motion to approve by Mr. McElhoe; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2008-59

Approving Change Order No. 1 to a contract with Thomarios for Bid Package #13 (Painting) for the Harrison Square Baseball Stadium project

Mr. Iddins noted that Thomarios was under the engineering estimate but through research Thomarios offered to powder coat the handrails in their shop. That saved some money and offered better coverage value for the time of year when the handrails are planned to be installed (December). Motion to approve by Mr. Obergfell; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

Resolution 2008-62

Approving Change Order No. 1 to a contract with Nation Wide Construction Group for Bid Package #7 (Miscellaneous Metal, Handrails and Fencing) for the Harrison Square Baseball Stadium project

Mr. Iddins stated that the \$15,000.⁰⁰ credit was the result of some changes to the handrails plus miscellaneous ins and outs. Motion to approve by Mr. McElhoe; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2008-60

Approving a contract with Avant Group for groundwater monitoring

Mr. Lyman stated that in the early 1990s this location was Hub Cap Express on what is now the southwestern side of Headwaters Park. There were gasoline and other contaminants on the site and the Redevelopment Commission cleaned the property. In 2007 IDEM required further investigation. The report was submitted and now IDEM is requesting one year of monitoring to confirm that the plume is not going to migrate to the river or under Clinton Street. The goal is to confirm that the contamination is confined and will clear itself through natural attenuation. Mr. Lyman noted that the contamination appears to be stationary. A discussion of the actual location of the site ensued. Motion to approve by Mr. McElhoe; seconded by Mr. Cox. Motion carried unanimously without further discussion.

F. OTHER BUSINESS

Resolution 2008-61

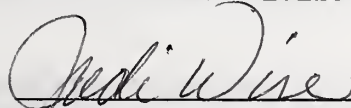
Approving an Access Agreement with Northern Indiana Public Service Company (NIPSCO)

Carol Taylor, City Attorney, noted that this Access Agreement is with respect to remediation work that will begin on property owned by Hall's Restaurant. NIPSCO is in need of a staging area for the work and the City has agreed to lease space to them on property owned by the Redevelopment Commission on the parking lot near Club Soda. For use of the space, NIPSCO will pay the Redevelopment Commission a monthly sum. Dan Brenner stated that the Redevelopment Commission will be leasing 84 spaces to NIPSCO at \$25.⁰⁰ per month per space for a period not to extend beyond June 1, 2009. The total to be paid by NIPSCO is \$16,550.⁰⁰. Motion to approve by Mr. McElhoe; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

- **Formtech Industries, LLC** in the Summit Industrial Park Urban Renewal Area
 - **U. S. Silicones, LLC** in the Centennial Industrial Park Urban Renewal Area
- Both Formtech Industries and U.S. Silicones are tax abatement applications. As of July 1, 2008 under House Bill 1001 legislation passed by the State Legislature, there is no longer a requirement for the passage of a Resolution indicating that a tax abatement granted in an Urban Renewal Area or Economic Development Area be approved by this Body before it is passed to Common Council for their final approval. The effect of the legislation is that the Redevelopment Commission will not be voting on any tax abatements. Historically, according to Staff and Legal Counsel there has only been one tax abatement that had to be amended to make it comply with Redevelopment Commission's responsibilities for repayment of debt. In the future, Staff or Commissioners can attend Common Council speak during a Public Hearing indicating what the ramifications of a tax abatement might do to damage the capacity of the Redevelopment Commission to remain current with its future debt obligations. Mr. Cox asked that there be a line item in the Agenda that states what tax abatements have been filed in our tax allocation areas.
- **AEP (Indiana Michigan Power)** – Mr. Leatherman distributed photographs of existing electrical substations. AEP has looked at Summit Industrial Park II regarding the overhead industrial lines running north and south. They have contacted staff with a request to consider selling a tract of land on which to construct a substation that would provide direct linkage to any of the landowners in the park and also to businesses outside the park. There are advantages to locating a substation in the park that include direct underground connections, eliminating most service interruptions. The most obscure place for the substation is partially under their existing lines to the north of the park and north of the retention area. They have identified a parcel approximately 300' x 300' that would work for them. Staff indicated that AEP would need to create a paved roadway to the facility. Mr. Leatherman quoted the price that was given to the other industrial developers in the Park. AEP agreed to that price per square foot. They will construct the road way to their facility and there will probably be an Easement Agreement for the roadway. AEP is more than willing to landscape and buffer the area, although they cannot completely hedge around the substation. For security purposes, they need to be able to observe to make sure no people feel they are secure from monitoring. Motion to authorize Staff to negotiate with AEP regarding an electrical substation at Summit Industrial Park II and bring proposed Agreement to Commission. Motion by Mr. McElhoe; seconded by Mr. Obergfell. Motion carried unanimously without further discussion
 - **Embassy Bridge** – Staff received a proposal from MSKTD to provide the Redevelopment Commission with the services to design the Embassy Bridge to the Marriott Hotel at Harrison Square. The Redevelopment Commission is solely responsible for the construction and design of the walkway. The Embassy is solely responsible for the design inside their building. MSKTD, who has been involved in the Bridge and Walkway from the beginning and who is on the Board of the Embassy Theatre, submitted a proposal to complete the design work for \$25,900.⁰⁰. The cost of the Bridge was estimated to be \$295,000.⁰⁰ for construction with a contingency amount of \$29,500.⁰⁰ for a total cost of \$324,500.⁰⁰. Ten percent of the project cost was proposed as the standard fee to complete design work. The hotel people are quickly moving toward finalized construction drawings to bid the hotel so they can begin construction in November. The design of the Bridge has implications for the final design of the hotel, i.e. how it connects to the hotel, headroom below and above street level. At completion the Redevelopment Commission will be responsible for the Bridge and the walkway across the third floor of the Embassy. Motion to engage MSKTD to complete design work for \$25,900.⁰⁰ by Mr. McElhoe; seconded by Mr. Cox. Motion carried unanimously without further discussion.
 - **Acting Secretary** – Motion from the floor for Steve McElhoe to perform as Acting Secretary in the absence of Judi Wire. Motion carried unanimously without further discussion.

ADJOURNMENT – Motion to adjourn by Mr. Cox; seconded by Mr. McElhoe. Meeting adjourned at 5:00 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

Adopted: 21 July 2008

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
18 August, 2008

TIME: 4:00 p.m.

PLACE: Room 128, City County Building, One East Main Street, Fort Wayne Indiana

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:03 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
Jim Lindsay, Redevelopment Specialist
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet

OTHERS PRESENT: Rob Young, Fort Wayne Allen County Economic Development Alliance
Greg DeWeese, Felderman Construction
Todd Bauer, Foresight Consulting
Rozlyn Rader, Community Development Finance Manager
Rachel Blakeman, Fort Wayne Public Information Officer

ALLOWANCE OF CLAIMS Motion to allow Claims of June 2008 by Mr. McElhoe; seconded by Ms. Wire. Motion approved unanimously

APPROVAL OF MINUTES Motion to approve Minutes of 21 July 2008 by Mr. McElhoe; seconded by Mr. Obergfell. Motion approved unanimously

NEW BUSINESS

Resolution 2008-63

Confirmatory Resolution – East Illinois Road Economic Development Area

Mr. Lindsay stated that this Confirmatory Resolution Amendment extends the East Illinois Road Economic Development Area (which includes the Burlington Coat Factory property on Illinois Road). The creation of the original area was envisioned to pay for the infrastructure and signalization improvements along Illinois Road. The development, which was envisioned to create tax increment to fund the needed improvements, has not occurred in the original area. With the planned improvements at the new Target and other stores along Thomas and Illinois Roads, it is envisioned that tax increment generated by those improvements can pay for the new infrastructure largely along Illinois Road. These improvements funded would include infrastructure enhancements at Lagro and Thomas Road at Illinois Road and equally important improvements to a culvert in the northern part of the Economic Development Area. Also the plan considers linkage with an Urban Trail that is envisioned there. Other improvements may be considered in a final design. Mr. Lindsay noted the process that has taken place to reach the Confirmatory Resolution. Mr. Lindsay also noted that tax increment would be received in 2010, when the properties are assessed and put on the tax roles. Mr. Leatherman stated that the drainage projects need to be done because the County Surveyor has required improvements to the site. Since the County has no funds to complete a project of this nature, the improvements fell to the City to complete. At that time, the City did not have the funds. The developer agreed to pay for the improvements but the City is willing to help pay for some improvements with TIF dollars. Motion to approve by Ms. Wire; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

Wayne Pipe and Supply – Greg DeWeese of Felderman Construction and Todd Bower of FroeSight Consulting. Mr. Leatherman noted that Staff has been working with Wayne Pipe on a potential building project in Summit Industrial Park II. Changes have been made to the design of the building that the Commissioners need to approve. Mr. Leatherman and Mr. Wernet have examined the changes and Mr. Wernet will make a determination if it pushes the restrictions in the covenants and deed restrictions. The change contemplates a drive-through garage door on the side bordering Innovation Blvd. The docks are on the back side but the company wants to

ability to drive through their building. According the Felderman Construction there is plenty of soil on site that can be used for the mounding and landscaping. On the north side of the building, Wayne Pipe proposes additional mound screening to hide an overhang where PVC piping would be stored underneath. Mr. DeWeese stated that the building height is 24 feet and the storage area height will be limited to 21 feet under the overhang. There will be a forklift used outside to reach some of the piping. Being able to drive a flatbed truck through the building would make loading the material more efficient. Mr. Young, of the Economic Development Alliance, noted that the vehicles will be delivery vehicles, not semis. Mr. DeWeese stated that he thought the maximum length of the truck would be 30 to 35 feet. The overhang will follow the roofline of the building. The advantage for the company in having the storage open is that the outside loading would allow efficiency in the operations. There will be no additional screening on the north side of the building but the mounding would hide the storage area and there would be perimeter fencing around the open area. Mr. Leatherman noted that all the company vehicles will be stored indoors each evening. Mr. Wernet stated that the Covenants provide that no dock facilities, including grade-level overhead doors, may face any interior street. Any dock facilities visible from the public thoroughfares will be screened by landscaping and additionally no outside storage is allowed on any site within the property owners. There is a provision that the Architectural Control Committee can waive some standards and those standards would require approval of 51% of the acreage of the property. The Redevelopment Commission is the owner of well over 50% and can waive those standards. If those standards are going to be waived there should be clear findings. A discussion of the proposed overhead door ensued. Mr. McElhoe asked to see a rendering of the building with the overhead door and fencing delineated. Mr. Wernet asked for a determination by the Redevelopment Commission that the revised design as amended with appropriate fencing is accepted. The unanimous consensus was that the revised design should be accepted.

TIF District Examination – Mr. Leatherman noted that the analysis of the TIF Districts and funding has been delayed because of the impact of recently passed legislation 1001. The enactment of this legislation has a potential dramatic downward pressure on the amount of TIF money generated by all the TIF Districts. The legislation removes funding for schools (general fund portion of the tax rate) from the tax rate and the remedy provided in the past for replacing that is significantly different than before. In order for the Redevelopment Commission to make fundamentally solid decisions concerning what projects the Commission can afford and at what level, staff needs to know how much money will be available.

Resolution 2008-64

Approving the payoff of the City of Fort Wayne Redevelopment District Refunding and Improvements Bonds Series 1998B

Mr. Lindsay stated that Redevelopment Commission has sufficient money in the Civic Center Urban Renewal Area Fund to pay off the bond earlier than its maturity date. The 1998A bond was paid off at maturity in February 2007. The principal balance of the 1998B Bond is \$1.29 million. If the bond is paid off early, the Redevelopment Commission will incur a 1% or \$12,900.⁰⁰ fee, but will we save \$42,547.⁰⁰ in interest for a net savings of approximately \$30,000.⁰⁰. Motion to approve by Mr. McElhoe; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2008-65

Approving a Second Amendment to Development Agreement and Access Agreement with White Lodging Services Corp.

Mr. Wernet stated that this Second Amendment and Access Agreement was submitted to Redevelopment Commission Staff and Legal Counsel by White Lodging after discussions. It was always contemplated that there would be a single purpose entity created to be the owner of the project for the CReED contribution; the site and development will be transferred to a corporation which will then contribute it to an LLC, who will be the single purpose entity to develop and operate the hotel. Legal Counsel has agreed not to close on the real estate until the end of September. The hotel is expected to start construction in November. Because construction vehicles are using the northeast part of the hotel site for access to the Parking Garage, the hotel would like to use 14 feet between the parking garage and the south end of the hotel site to help during their construction (this is the area of the pass through for the stadium to the Park and is owned by the Redevelopment Commission). The hotel developers would also like to use the expansion parcel for the hotel along Jefferson, west of the hotel site and small area west of the hotel site, just east of the Park, for staging. Motion to approve by Ms. Wire; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

Resolution 2008-66

Approving an Escrow Agreement and Contribution Agreement with the Embassy Foundation

Mr. Wernet explained that in November 2007 the Redevelopment Commission, the City of Fort Wayne and the Embassy Foundation entered into a Capital Improvement Access Agreement whereby the Redevelopment Commission will pay \$1.3 million to construct the pedestrian walkway between the Embassy and the Courtyard by Marriott hotel and also contributing to the

Embassy Foundation to extend the walkway through the Embassy and construct improvements that will allow the Embassy to develop the upper floors of the Indiana Hotel by putting in an elevator and an additional stairway. That agreement contemplated a \$300,000.⁰⁰ contribution and the other \$1million would be split between the Redevelopment Commissions' building the walkway and the Embassy Foundation making the improvements internally that the Commission is paying for. The Contribution Agreement is a simple contribution agreement that states the Embassy will use the contribution for the purposes set forth in the Agreement and they agree to provide an accounting to the Commission. The Escrow Agreement for \$650,000.⁰⁰ is the balance to complete the internal improvements within the Embassy/Indiana Hotel. The Embassy Foundation will also be receiving \$550,000.⁰⁰ from the Goldstine Foundation. Rather than give them the \$650,000.⁰⁰ outright, an Escrow Agent will hold it and make the payments to the contractors. When the project is complete, the Commission will give final approval. Under the Agreement the Embassy Foundation has agreed to complete the improvements in early 2010 but it is our understanding that they would like to begin their internal improvements in Fall 2008. Mr. Leatherman stated they the Foundation interviewed a significant number of Construction Managers for the project and they have reached a determination on which one to choose; they are moving forward. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2008-67

Approving an Application for and owning an Alcoholic Beverage Permit for Harrison Square

Mr. Wernet noted that at the time that the Stadium License and Stadium Management Agreement were entered into between the City of Fort Wayne, the Redevelopment Commission and Hardball Capital, there was a provision that Hardball Capital would be responsible for obtaining Alcoholic Beverage Permits. It has since been determined that the Alcoholic Beverage laws permit the Redevelopment Commission or a second-class City or Municipality to have a permit in its own name that is not subject to the quota system. It is the belief of legal counsel that it is in the best interest of the City to be the owner of the permit rather than Hardball Capital and to have Hardball as the manager. The cost of the permit is \$1,000.⁰⁰ per year. Memorial Stadium is working under the Coliseum's permit; the Grand Wayne Center uses the Hilton's catering permit. Motion to approve by Mr. Cox; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2008-68

Approving an Agreement with City Utilities

Mr. Leatherman noted that the Redevelopment Commission entered into an agreement with the Board of Public Works to put \$1 million toward infrastructure in the Harrison Square project. To host the Harrison Square project, a number of additional infrastructure improvements, outside the boundary of Harrison Square were required (water, sewer, and stormwater); they are off-site and create benefits beyond Harrison Square. These projects were not incorporated into the Harrison Square budget. City Utilities will pay for the improvements up to \$1 million and will have a schedule for reimbursement going forward for the costs that exceed the agreed to \$1 million. Most of the improvements are on Ewing and include a new water line, sewer and separate stormwater sewer. Motion to amend provision #2 to read "\$1.55 million" (total cost of the project is \$2.55 million) by Mr. Obergfell; seconded by Ms. Wire. Motion to approve amended Resolution by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

F. OTHER BUSINESS

Resolution 2008-69

Approving Amendment 1 and 2 to a contract for professional architectural services

Mr. Lindsay noted that this amends the contract with HNTB for the stormwater pump design phase of the Harrison Square project. The original approval was for a budget figure only. Amendment 1 negotiated a final fee of \$72,000.⁰⁰ for the stormwater pump design. Amendment 2 deals with a fee schedule for services to be rendered during construction for oversight, questions, meeting attendance, and consulting over and above the base contract for the construction phase of the stormwater pump design. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

- **Higher Grounds wall penetration** – Mr. Lindsay stated that there are improvements being proposed at the Higher Grounds shop on Calhoun and Wayne Streets. These improvements must be approved by the Redevelopment Commission and the Midtowne Crossing Owners Association because the wall will have to be penetrated to permit improvements to the sanitary sewer system. Mr. Lindsay has spoken to Shawnee Construction and they maintain that the penetration will not impair anything in the garage units owned by the Redevelopment Commission. A discussion of the Midtowne Crossing Parking Garage Units ensued. Motion by Mr. McElhoe; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

- **Cable Access** – Mr. Leatherman stated that the Cable Access Board would like to televise the Redevelopment Commission meetings. The programming would not be live. The consensus of the Commissioners was that televising the meetings would give the general public the ability to see the meetings and promote transparency for the Redevelopment Commission. Mr. Leatherman will have a Resolution for the September meeting that states the Redevelopment Commission approves of taping the meetings and allowing them to be broadcast on the City's Cable Access Channel.

ADJOURNMENT – Motion to adjourn by Mr. Cox; seconded by Mr. McElhoe. Meeting adjourned at 5:13 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

Adopted: 15 September 2008

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
15 September, 2008

TIME: Immediately following the Executive Session

PLACE: Room 128, City County Building, One East Main Street, Fort Wayne Indiana

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:29 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
Jim Lindsay, Redevelopment Specialist
John Wallace, Assistant Director
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet

OTHERS PRESENT: Dave Ross, City Engineer
Rozlyn Rader, Community Development Finance Manager
Rebecca Karcher, Fort Wayne Public Information Officer

ALLOWANCE OF CLAIMS Motion to allow Claims of July 2008 by Mr. McElhoe; seconded by Mr. Obergfell. Motion approved unanimously

APPROVAL OF MINUTES Motion to approve Minutes of 18 August 2008 by Ms. Wire; seconded by Mr. McElhoe. Motion approved unanimously

NEW BUSINESS

Resolution 2008-70

Approving funding for public infrastructure improvements in and serving the Jefferson Illinois Economic Development Area, as amended

David Ross, City Engineer, stated that project at Ardmore and Jefferson will cost \$1.9 million, which increase the amount from the Redevelopment Commission by an additional \$825,000.⁰⁰. The contracted amount for the construction by Brooks Construction is \$1,255,337.⁵⁰ and the rest of the money will be used for acquisition. There are right-of-way acquisitions in the amount of \$500,000.⁰⁰, which includes services for appraisals, the demolition and other fees. Additional scope of work will include extending the original intersection project to connect with Covington Road to make a improved corridor connection. A trail was added on the west side of the roadway that included property that would have a trail head at the intersection. Additional property related to the intersection and widening were acquired which allowed an additional westbound turn lane. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Mr. Ross noted that the Ardmore project, including the corridor, is designed to 20-year design standards. The project also includes mitigation for new commercial traffic to go through the neighborhood and to provide a sense of residential neighborhoods so that traffic will know at the Ardmore intersection is different from the rest of the corridor to the south. This project is the original alternate approved by the Board of Public Works and approved by the Committee that made up the Study Group for the improvements. The roadway will be four lanes wide to accommodate future traffic flow. The original plan was modified to accommodate the Wildwood Neighborhood because they did not like the idea of a back road that gave them access to the public roadway going through some of their backyards. The Traffic Engineering worked with them to develop a frontage road concept. Traffic Engineering is negotiating with a land owner at the corner of Ardmore and Jefferson because of a turning movement at the intersection. There will a trail system with sidewalks along the roadway and along the west side there will be a berm system for mitigation of sound with tree plantings along the top of the berm and the trail. On the southeast section, a berm will also be built for sound mitigation and then from Ardmore Ditch to North Washington Road will be a sound barrier wall. Additionally, there will be a berm north of North Washington Road with plantings and landscape and a sidewalk that connects to the trail system. Mr. Ross provided a preliminary landscaping plan for the area. He noted that there is a

question about the funding capabilities of the City for the entire plan. Mr. Ross distributed a copy of the budgets for the design costs, study costs and the top section of the right of way and the anticipated costs for additional right-of-way, temporary easements, access agreement and additional right-of-way for temporary construction and the mounds. The estimated project budget is \$8.5 million and does not include the \$1.9 just approved by the Redevelopment Commission. This construction would be on about one-half mile of roadway from Jefferson to Covington. There will be a attention to subgrade treatment to firm the base because of the vibrations caused by the trucks that will use the road. There will be a substantial storm drainage system so water will not encroach on the private properties. The landscaping will be very dense to protect the residents from the roadway. Mr. Guerin asked if Mr. Ross could recall any other roadway construction that cost \$8.5 million for ½ mile of roadway. Mr. Ross replied that this is a precedent-setting project and a unique situation. Mr. Obergfell asked what a roadway without the "green scheme" would cost and Mr. Ross replied that when the construction estimate for the roadway (the standard roadway with 5 lines with 2 sidewalks on each side and a 5 foot grassy area) was done two years, the cost was approximately \$2 million. The standard plan called for a center bi-directional lane. Mr. Cox asked if the Redevelopment Commission was being asked to pay for the entire \$10.4 million for the intersection and Mr. Ross replied in the affirmative. He stated that it is understood that the Redevelopment Commission was not the generator of the project, but it has the resources to fund the project.

TIF Presentation – Mr. Leatherman noted that over the last several years the Commission has been asked to undertake several projects that overlapped and intersected Illinois Jefferson, Baer Field and Centennial Park TIF areas. Those projects include the Ardmore intersection, the Ardmore widening project, the Baer Field Expressway water line extension, the possibility of acquiring on behalf of the Parks Department the former Dimension Ford property for future wetland and stormwater detention and mitigation. In addition, the Commission has obligations for the debt service for the Harrison Square project from the Illinois Jefferson TIF area. There are signalization commitments to Jefferson Pointe and the conversion of the private drive to public right-of-way. All of those projects have come before the Commission in a very short time period, putting tremendous fiscal demands on the TIF revenue stream. Additionally, House Bill 1001, passed recently, significantly reduced the amount of TIF revenue in the future, because of the removal of school general fund portion, along with some smaller state portions, from the property tax rate. Until staff received those numbers from the State that enable us to make informed projections, we were not able to do calculations on the impact of the House Bill. With those numbers in hand, staff has calculated that there will be an approximate 23% reduction in the amount of TIF generated by most of the Allocation Areas from the 2007 taxes/payable 2008 to the 2008 taxes/payable 2009. These projections are shown on the Baer Field and Jefferson Illinois spreadsheets. In your review, please take note of the assumptions listed and bear in mind that the dynamics of the change in the homestead credit, directed by the state, will have a positive effect on the rate in the future. The spreadsheets depict an approach to a financing strategy that will allow the Commission to undertake funding of the Ardmore Corridor project in an amount of \$5.4 million from the Baer Field EDA from 2008 to 2010. The Jefferson Illinois EDA will fund \$1.5 million for the Ardmore Corridor project for the years 2009 to 2010. Payments for the Baer Field water line extension project, Harrison square debt service and reimbursement to the Utility Administration are also shown for years 2008 to 2010. Additionally, we show how the Dimension Ford property can be funded from the Jefferson Illinois Fund beginning in 2008. The financing strategy is not fixed and can be adjusted as needed. Specific projects will be brought before the Commission for approval when they are ready for Commission deliberation and consideration. These include the Ardmore Corridor and Dimension Ford projects. However in order to enable staff to move forward with the planning process, we need to have the direction of the Commission that the general strategy presented is acceptable. The Commission responded affirmatively that the general financing strategy is acceptable as presented.

Resolution 2008-71

Approving an agreement for the sale and development of real estate in the Summit Industrial Park Urban Renewal Area

Mr. Lindsay explained that Indiana Michigan Power has tendered a standard form of the Commercial Industrial Purchase Agreement to acquire approximately 90,000 square feet of land in Summit Industrial Park II in the amount of \$1.¹⁵ per square foot or approximately \$103,500.⁰⁰. Indiana Michigan Power proposes the construction of a 20 megawatt power station at the eastern boundary of the park during the third quarter of 2010 that will increase capacity and reliability of power distribution to the area and be a catalyst for future economic development. They intend the power station to be operation in 2011. Their investment in Summit Industrial Park II will be approximately \$3 million. Since the Redevelopment Commission still has the majority ownership in the industrial park, the Commission must approve a waiver of the sale because the proposed land purchase is less than 3 acres. Staff in conjunction with Legal Counsel recommends Commission approval of the Contract for the Sale and Purchase of Real Estate and a waiver to the bylaws and covenants that allows Indiana Michigan Power to construct a power station on 2.0661 acres. Motion to approve by Mr. McElhoe; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2008-72

Approving an agreement for the sale and development of real estate in the Summit Industrial Park Urban Renewal Area

Mr. Lindsay stated that Wayne Pipe and Supply has tendered a Standard form of Commercial Industrial Purchase Agreement for the acquisition and development of approximately 7.07 acres of land in Summit Industrial Park II. Wayne Pipe and Supply's offer for the acreage is \$354,164.⁵⁸ or \$1.¹⁵ per square foot. They are proposing the construction of a 55,000 square foot production, office, distribution and warehouse building with an investment of approximately \$2.9 million. Because the Redevelopment Commission comprises the majority interest in Summit Industrial Park II Business Association, the Commission must approve the construction of the plans and specifications. Staff in conjunction with Legal Counsel recommends Commission approval of the Contract for the Sale and Purchase of Real Estate. Motion to approve by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2008-73

Approving Change Order #1 to a contract with Hamilton Hunter Builders, Inc. for Bid Package #20 (Streetscape, Entry Plaza and Public Park) for the Harrison Square Baseball Stadium project

Mr. Leatherman noted that the Commission staff, in conjunction with Weigand Construction, the architect, construction manager and contractor has undertaken a process of value engineering to identify substitutes, modifications and alternates to the scope of work at Harrison Square. Hamilton Hunter was chosen to construct the streetscape, entry plaza and Public Park for the project. During the process of value engineering several modifications to Bid Package #20 were identified that amounted to a cost reduction in the amount of \$ 141,696.⁰⁰. The revised total of the contract is \$2,892,023.⁰⁰. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2008-74

Approving the taped broadcast of the Fort Wayne Redevelopment Commission meetings

Mr. Leatherman stated that the local Cable Fund Access Board has approached the Redevelopment Commission to allow cable access to the public by broadcasting the Redevelopment Commission public meetings and public hearings. The meetings will be taped and not broadcast live. Motion to approve by Mr. Cox; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2008-75

Approving an Escrow Agreement and Contribution Agreement with the Embassy Foundation

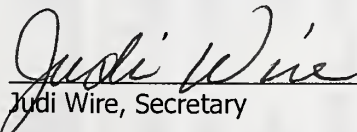
Mr. Leatherman stated that this Resolution revises 2008-66. Resolution 2008-66 stated that the Contribution Agreement contemplated a contribution of \$650,000.⁰⁰ to the Embassy Foundation for all construction of improvements within the Embassy/Indiana Hotel to allow access to the Grand Wayne Center and the Courtyard by Marriott. The contribution would also allow the Embassy Foundation to construct capital improvements to the upper floors of the Indiana Hotel that would allow future development. . Motion to approve amended Resolution by Mr. Obergfell; seconded by Ms. Wire. Motion carried unanimously without further discussion.

OTHER BUSINESS

Mr. Leatherman stated that he would like to call a Special Meeting of the Redevelopment Commission on Monday, September 22, 2008. All Commissioners agreed to that time.

ADJOURNMENT – Motion to adjourn by Mr. McElhoe; seconded by Ms. Wire. Meeting adjourned at 6:05 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

Adopted: 20 October 2008

as of August 26, 2008

INTER-OFFICE WORK PRODUCT - NOT SUBJECT TO FREEDOM OF INFORMATION ACT. DO NOT RELEASE.								
				2008	2009	2010	2011	2012
		Opening Balance 1/1	-		1,271,566	574,904	378,242	931,580
		Estimated Annual Revenue:	3,043,566		2,350,338	2,350,338	2,350,338	2,350,338
		Estimated Available:	3,043,566		3,621,904	2,925,242	2,728,580	3,281,918
	PROJECT/COMMITMENT DESCRIPTION:	Resolution #	Total:					
	Board of Public Works - Ardmore corridor			1,000,000	500,000			
	Harrison Square Debt svc			1422000	1422000	1422000	1422000	1422000
	Dimension Ford			200000	200000	200000	200000	200000
	City utility Infrastructure reimbursement			150000	425000	425000	175000	175000
		Total Commitments:	-	1,772,000	3,047,000	2,547,000	1,797,000	1,797,000
		Estimated Balance 12/31		1,271,566	574,904	378,242	931,580	1,484,918
	Notes/Assumptions:							
1	\$125,000 commitment signals 2004							
2	2009 HB 1001 Effect shown 2009 - 2012							
3	Ardmore Corridor = \$6.5 million							
4	Ardmore Intersection = \$1.9 million							
5								
6								
7								
8								
9								

FORT WAYNE REDEVELOPMENT COMMISSION
Special Meeting
22 September, 2008

TIME: 4:00 p.m.

PLACE: Room 730, City County Building, One East Main Street, Fort Wayne Indiana

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:03 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
Jim Lindsay, Redevelopment Specialist
John Wallace, Assistant Director
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet

OTHERS PRESENT: John B. Kalb, submitting a letter

NEW BUSINESS

Resolution 2008-76

Approving a Letter of Intent with Parkview Health System, Inc.

Mr. Wernet distributed the substantially final Letter of Intent. He noted that Parkview has not completed the final sign off so the Resolution has been changed to allow for minor changes approved by the Executive Director and Legal Counsel. The letter provides for a 10-year term with a 5-year option at \$300,000.⁰⁰ per year. \$150,000.⁰⁰ will be payable to the Capital Maintenance Fund as delineated in the Stadium License Agreement. The Letter of Intent also states that the Stadium will be called Parkview Field, or another name agreed upon. There will be displayed signage, directional signage, Parkview will be designated the Official Hospital and the team won't allow other hospitals to advertise at the Stadium. A welcome video will be shown on the video board, along with working on the Taste of Living and other healthy food options. The team will continue to have its 5K race or similar event. Parkview will have on-site first aid services. Parkview will have the right to lease the ballpark for one half the amount that would generally be offered to the community. There is currently a five-member Board of Advisors that reviews the Maintenance Fund. The Board is made up of the City Controller, a representative of Hardball Capital, a representative of the Convention & Visitors' Bureau, a representative of the Downtown Improvement District and a representative from the Grand Wayne Center Board. Under the naming rights agreement that would be amended to include a representative from Parkview as a 6th member of that Board. Mr. Wernet will advise the Commission if it is appropriate for a representative of the Redevelopment Commission to sit on the Advisory Board. Mr. Wernet noted that the new public Park will be named Meyer Park in honor of Judge Meyer who made a contribution to the Parks Department. Mr. Leatherman noted that the kid's playground area probably will have a separate naming rights component. The anticipation is that the signage on the outfield wall of the Stadium will be different than it was at Memorial Stadium. Although there will still be signage, it will be more uniform and framed into the padding on the walls. A discussion of the naming rights procedures ensued. Mr. Guerin asked that consideration be given to increasing the amount of the naming rights after the initial 10-year period if Parkview wants to continue for the 5-year extension. Motion to approve by Ms. Wire; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

Resolution 2008-77

Approving an Agreement with White Lodging relating to the sale of Real Estate.

Mr. Wernet began the presentation with Temporary License Agreement. The Agreement has already been approved by the Redevelopment Commission as the Access Agreement. This allows each of the entities constructing on premises to use areas owned by other entities for staging their construction. The triangular area at the corner of Jefferson and Harrison is now being used as a parking area for the Parking Deck construction. Areas 2 and 3 are at the north edge of the Garage area, part of the area belongs to the Redevelopment Commission and the other part belongs to the Hotel. Part of Area 2 is being used as a parking deck construction area and part of Area 3 will be used for the Hotel construction. Areas 4 and 5 will need to be accessed by the Hotel construction crew for staging and construction. This agreement allows for the temporary licensing for those activities within a certain period of time after the hotel has been built,

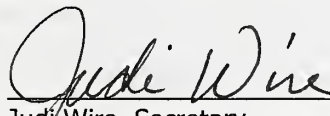
According to this Agreement, Legal Counsel has agreed that improvements on the Redevelopment Commission's property will be completed. The Pedestrian Connector Construction Easement and Operation Agreement is basically a combination of the Hotel Development Agreement and our Agreement with the Embassy Foundation whereby we are constructing the pedestrian walkway and the Embassy is constructing the pedestrian connector through their premises to the skybridge from the Embassy to the Grand Wayne Center. This easement agreement provides for access to the hotel patrons to the Embassy and Grand Wayne Center. This Agreement is substantially in its final form. Mr. Leatherman noted that access is granted for the hours that the Grand Wayne Center is open. Mr. Wernet noted that under our Agreement with the Embassy, the Redevelopment Commission will maintain the skybridge. The next Agreement is Amendment 3 to the Hotel Agreement that anticipates the real estate closing and states that the City has extended utilities as provided in the Development Agreement and that the improvements in the Hotel Agreement will be handled with in accordance with improvements that the hotel will be making. It also contemplates that the Redevelopment Commission has taken all necessary actions agreed upon and that all the contingencies have been completed. The closing may be pushed back until after October 15, 2008. The last document is the Parking Easement Agreement and states that the hotel owner has the use of 250 spaces in the garage for patrons and 20 spaces in the garage for employees. This separate agreement clarifies the use of those space at a rate of \$1.50 per day per space for patrons and no charge for employees. The Agreement provides for the signage and the access keys and cards. Light & Breuning has been selected to provide that equipment. A discussion of the Lincoln parking ensued. Mr. Leatherman noted that Lincoln is paying the Redevelopment Commission approximately \$42,000.⁰⁰ per year for use of the garage. All game parking revenue would come to the Commission. There are on-going discussions with Lincoln concerning the use of the surface parking lots that remain. There would be some parking revenue share on those lots between Lincoln and the Redevelopment Commission. Motion to approve by Mr. McElhoe; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

OTHER BUSINESS

None

ADJOURNMENT – Motion to adjourn by Ms. Wire; seconded by Mr. McElhoe. Meeting adjourned at 4:47 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

Adopted: 20 October 2008

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
20 October, 2008

TIME: 4:00 p.m.

PLACE: Room 128, City County Building, One East Main Street, Fort Wayne Indiana

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:10 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
Jim Lindsay, Redevelopment Specialist
Gary Lyman, Brownfield Manager

COUNSEL PRESENT: John Wernet

OTHERS PRESENT: Rob Young, The Alliance
Eric Baker, Site Executive, SIRVA – Fort Wayne
Tom Neizer, Barrett McNagny
Mark LaMay, Avant Group
Brad Sturges, CB Richard Ellis
Jim Irwin, Barry Real Estate
Jim Iddins, Weigand Construction

ALLOWANCE OF CLAIMS: Motion to allow Claims of August 2008 by Mr. McElhoe; seconded by Mr. Obergfell. Motion approved unanimously

APPROVAL OF MINUTES: Motion to approve Minutes of 15 September and 25 September 2008 by Ms. Wire; seconded by McElhoe with noted change to scribe error. Motion approved unanimously

NEW BUSINESS

Resolution 2008-78

Approving a LEDGE Agreement with SIRVA Worldwide, Inc.

Mr. Young distributed the local version of the news release to Commission members. The announcement centered around the State's involvement in the project. There is a large local component of the project also. SIRVA currently employs 460 people at its US 30 location. The challenge going forward is helping the company come out of its prepackaged bankruptcy filed several months ago. The current configuration of jobs companywide is not possible but in cooperation with State and local partners, a proposed package of incentives was compiled that can lead to 240 new jobs joining the 460 existing jobs in Fort Wayne. Mr. Baker stated that North American Van Lines has been in this facility since the 1970's and in the community much longer than that. In 1999, North American acquired Allied Van Lines and , a large portion of the operation was relocated at NAVL in the Chicago Area. As a result of the purchase there are two large facilities to maintain. The amount of overhead was not acceptable and it was decided to consolidate. Mr. Baker asked the Alliance to assist with modeling a consolidation in Indiana. The jobs that will be coming to Fort Wayne will be back-office jobs such as finance, accounting, customer support and marketing. This is a consolidation of the Moving Services headquarters. There will still be a small operation of SIRVA Corporate that will be in Cleveland and Minneapolis. As a result of the moving services combining in Fort Wayne, the data center will also be located in Fort Wayne. Mr. Young commented that the average job will pay between \$30,000 and \$60,000. There are four main components of the local package (coupled with the State package). The first component was the quality and abundance of the skilled labor force here. Secondly, The Alliance has been working with the Community Development Division to put together some incentives relative to personal and real property tax and its phase-in on those components of project that are eligible for tax abatement. Thirdly, there is a direct grant available from the City's Economic Development funds as well. The fourth component is a TIF component that flows from the money generated by the allocation area. The TIF component is designed to complement one of the strongest economic development tools at that State level, which is known as EDGE. Several years ago, the City with the help of John Stafford crafted a LEDGE policy (Local EDGE). The timeframe for the completion of this project is 3 years. Mr. Wernet noted that Resolution 2008-78 would approve a LEDGE Agreement with SIRVA Worldwide that includes a lease and sublease. The LEDGE Agreement provides that the Redevelopment Commission lease equipment

from SIRVA to be identified, which will most likely be data systems and network, for the sum of \$211,000.⁰⁰ for 3 years commencing at the end of 2008 based on their minimum job levels as defined in the Agreement. As long as SIRVA meets 90% minimum level of that standard, they would receive the full lease amount. In the event less than 90%, but exceeding 75% they would receive no payment that year but would be deferred to a maximum of 5 years. If after 4 years, the company does not make the minimum, then there is a provision that the company would have to repay the Redevelopment Commission. There are provisions for default. The Commission would lease the equipment and sublease back to them for \$1.00 a year. In actuality, this is a grant. The company is located in an Economic Development Area that includes Sweetwater Sound. Sweetwater will begin to generate tax increment in two years following the abatement schedule for Sweetwater Sound. SIRVA will be required to provide the Redevelopment Commission, along with Workforce Development, with sufficient information by February 15 of each year that would allow confirmation that the employment levels have been met. The lease is subject to City Council approval. Motion to approve by Mr. McElhoe; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2008-79

Approving agreements relative to the acquisition of real estate located adjacent to the Jefferson Illinois Road Economic Development Area, as amended

Mr. Leatherman distributed a map from Fort Wayne Parks and Recreation outlining the former Dimension Ford property and how the real estate might be used. There is an existing bowling alley that is not a part of the acquisition. Staff has appraisals for the property. Both of the appraisals were within \$50,000.00 and were approximately \$1.8 million. A contract purchase agreement in process with payments over time of \$1.3 million. There are environmental concerns that exist on the property that will be remediated. There is also keen interest in the old commercial trucking building on the property by two different parties. Staff and legal counsel believe that there is between \$250,000.⁰⁰ and \$300,000.⁰⁰ of value in that building. Immediately upon legal acquisition and closing on the property, a RFP for that property could be circulated. After acquisition, the Redevelopment Commission will begin a cleanup of the existing known contamination under the larger building. After clean up, and as funds are available, wholesale demolition and removal and recycling of the asphalt would begin. Eventually the ownership of the property that cannot be sold would be given to the Parks and Recreation Department for the future development of green space, stormwater and wetlands. It is believed that this property can receive and retain flooding water from the St. Mary's River. There are many benefits to having park land being able to receive water in a flood event. One of the hidden benefits is curtailing the purchase of houses that might flood in the future if the property remains as it is. Benefits include beautifying the entrance into downtown and creating additional stormwater and wetland delineation. Gary Lyman stated that much subsurface investigation has occurred. Mark LaMay explained that their investigations focused on the north end of the site. In the 1930's and 1940's that area was a gas station. A number of test pits were excavated; soil samples for both physical and chemical analysis and ground water samples were collected and analyzed. There were no environmental issues discovered in the north end. All the old tank closure reports were reviewed. Along the larger building, there were a series of closed underground storage tanks that contained virgin, waste motor oil and heating oil. All of the closures followed IDEM standards. There was a leaking underground storage tank discovered at the front of the property containing gasoline. As a result, there is contained soil and ground water contamination that encompasses a larger area. There are both free phase gasoline and dissolved constituents in the ground water. The groundwater in this area is very shallow (about 2 to 3 feet) and therefore easy to remediate. The cleanup plan is to excavate the contaminated area which requires the removal of pavement and some flooring in the retail showroom. Any soils that contain residual gasoline will need to be excavated and taken to a landfill. There are several options available for financing the cleanup. The first option is the Petroleum Remediation Grant Initiative, administered by the Indiana Finance Authority (the same program used the cleanup at Harrison Square). The State pays 100% of the investigative and cleanup costs. That program is on temporary hold for accepting projects. The cleanup time would be dependant on the availability of funds. IFA wants to make sure that they are not overcommitted. Mr. LaMay has spoken to IFA about this cleanup. Verbally, they stated that this property was an ideal candidate. The second option would be a dollar for dollar match program and is also through the Petroleum Remediation Grant Initiative also. The State will split the cleanup costs 50/50%. The estimated cost is between \$140,000.⁰⁰ and \$180,000.⁰⁰ for the environmental work; that does not include the demolition costs. Mr. Leatherman noted that taking down the structure would be an eligible use of the City's Brownfield fund. IFA does not allow demolition costs. The funds for demolition of the structure would come from the Redevelopment Commission and the Parks Department as funds become available. Neither of these entities is constricted by a timeframe. Tom Neizer stated that property has been vacant for approximately one year. He stated Dimension Ford, at the end of their lease, decided to move their operations to other locations and this site has been marketed by CB Richard Ellis. The site is challenged in two respects. First is the environmental and second is that the entire site is within floodway or floodplain, which limits conventional redevelopment. There was a serious offer for \$1.8 million but because of the environmental problems the offer was lowered to \$1.3 and then withdrawn. If the City does not purchase the land, the owners will parcel off the land. Mr. Cox asked if there is any way the property could be incentivised and sold to the private sector. Mr. Leatherman noted that at the current elevations nothing can be done to develop the property. There is the potential to work with DNR, Army Corps of Engineers and others to create the environment to store water on the back half of the property and then elevate the land nearest the Jefferson corridor. A discussion of other property that the Parks Department is attempting to sell ensued. Mr. Leatherman noted that the Parks Department

is willing to take over the land and the Redevelopment Commission is willing to give it to them for the future creation of stormwater and wetland development. Mr. Lyman stated that the floodway encompasses existing structures. If the property is acquired and some of it can be sold and reused, then the acquisition cost will be approximately \$1 million. The owner's goal has been to market and sell the property as a whole. The areas around the buildings were inundated in the last flood for a matter of days. Much of the runoff on the property drains into Swinney Park. A discussion of the purchase and environmental process ensued. Mr. Leatherman noted that any demolition would be in 2009. Once the Redevelopment Commission has control of the real estate, Mr. Leatherman can contact the parties that have expressed an interest in acquiring the smaller building and property and issuing an RFP. Mr. Neizer stated that the Trust that owns the property does not want to sell the property in parcels because they believe that the control of the easement gives the property more flexibility in its reuse. Mr. Neizer stated that the survey that was given to the Redevelopment Commission shows that all the improvements are in the Junk Ditch floodway. At the time of the survey, Barrett McNangy looked at an amendment to the flood maps as reissued and the response from the zoning department was that everything along the Junk Ditch will be considered in the floodway into perpetuity. A new owner of that building would have to reuse the building as it currently exists. It is not in a flood hazard area but in a floodway that limits further building improvements to the existing structure. Mr. Neizer stated that the floodway encompasses most of the property and then spills over into Swinney Park. Mr. Sturges confirmed that the property is in the floodway. Mr. Leatherman noted that if the City does not purchase the property, the current owners will find a buyer who will probably use it as storage facility or other detrimental uses. The future of that property will be given to the lowest common denominator because those are the uses allowed in IN2 zoning. If the property is used for an IN2 use, it will visually pollute a major entranceway to downtown Fort Wayne. A discussion of the cost of demolition ensued. Mr. Neizer stated that this property is the asset within the Trust. The operational expenses for the property, even though vacant, are significant as are the property taxes. An appeal for this year's assessed value has been filed. He stated that soon CB Richard Ellis will be instructed to unload the property. The Agreement proposed to the Redevelopment Commission is one where there is a very liberal due diligence period that provides an express contingency for the Commission to satisfy itself that remediation funding would be available before closing. Mr. Obergfell asked that staff provide a amount that will be needed for demolition. Mr. Leatherman stated that the cost of demolishing the entire building would be approximately \$200,000.⁰⁰. Mr. Leatherman stated that the demolition funds are available today from Illinois/Jefferson TIF with the assumption that no CEDIT funds would be used to offset the cost of the Ardmore corridor widening. He stated also that if Common Council approves a CEDIT bond, some of those CEDIT funds would offset Ardmore corridor improvements. The money available in the Illinois/Jefferson TIF would be larger because the CEDIT funds would offset the funds that are already earmarked for the Ardmore corridor. Staff has not factored Centennial TIF into the Ardmore project and it is eligible, as a fallback, for those improvements. A discussion of "trending" ensued. Mr. Wernet noted that there is an inspection period; the Redevelopment Commission has until December 10 to determine if it wants to purchase the property. Mr. Leatherman will get the flood maps and the cost of demolition to the Commission and also the cost of recycling the asphalt. Mr. Neizer stated that under the Due Diligence clause, the Redevelopment Commission can back out of the Agreement. Mr. LeMay stated that it would be January or February 2009 before a contract could be in place with IFA. He also stated that he assumed the building would be gone when the remediation numbers were assembled. He noted that the pot of money is slowly draining in the Petroleum Grant Initiative and may not be available until the State can acquire new funds. Motion to approve by Ms. Wire contingent upon staff bringing the requested information; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2008-80

Approving a Sanitary Sewer Easement with the City of Fort Wayne, Board of Public Works

Mr. Lindsay noted the draft of the agreement prepared by Craig Berndt and a diagram that shows the new construction. When the property was acquired, the Redevelopment Commission had to vacate dedicated easements. Redevelopment Commission commitment to the Utilities Administration is that the Commission would work to accommodate all public infrastructure needs. Motion to approve by Mr. Obergfell; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2008-81

Ratifying and approving a Design Services Modification request to a contract for professional architectural services with Schenkel Shultz Architecture

Mr. Lindsay stated this resolution adds stubbing out the design of the future Conference Center , Kitchen and Mechanical Area on the interior. The reason for this is that the contractor must have penetration through the various floor and walls for conduit, chases, electrical and fire protection and communications. Motion to approve by Mr. Cox; seconded by Ms. Wire. Motion carried unanimously without further discussion.

OTHER BUSINESS

- Harrison Square Update – Mr. Irwin stated that these change orders codify work that has already been done or needs to be accounted for in different pools of contingency funds within contracts. He explained that Contractor Allowances are the additional allowances that are built in within the construction budget. The Owner Contingency is the macro contingency carried in addition to contractor allowances.

Resolution 2008-82

Approving Change Order #2 to a contract with Contract Dewatering Services for the Harrison Square project site

Mr. Iddins noted the relatively small Change Order for \$6,797.⁰⁰. When the ramp was being built, one of the wells was located near the slurry wall and it had to be relocated. A generator was also rented for a month and credit was given for some of the time that was actually built into the contract. That money will be coming out of the Owners' Contingency. It was the combined decision by Mr. Irwin and Mr. Iddins from which fund the money would be drawn. Mr. Irwin stated that in the end, they are trying to bring the cost to \$0.00. At this stage, it benefits the project to have some contingency left in the contract to give flexibility in making decisions on the spot.

Resolution 2008-83

Approving Change Order #2 to a contract with L. A. Electric for Bid Package #17 (Electrical) for the Harrison Square Baseball Stadium project

Mr. Iddins stated that this is the rough-in for the data services in the suites and the TinCaps new offices. It was also taken from the Owner's Contingency.

Resolution 2008-84

Approving Change Order #2 to a contract with Fleming Excavating, Inc. for the Harrison Square Baseball Stadium project

Mr. Iddins stated that on the north side of the Parking Garage, the 15 inch storm drain had to be lowered. The line will now be pressurized. A water line tied in on West Brackenridge had to be rerouted around the new AEP pole. Again that amount will be taken from the Owners' Contingency.

Resolution 2008-85

Approving Change Order #1 to a contract with Fort Wayne Roofing for Bid Package #9 (Roofing and Sheet Metal) for the Harrison Square Baseball Stadium project

Mr. Iddins noted that the \$55,000.⁰⁰ item is for changing a flat paneled soffit around the building to a more structurally-sound soffit. Also there is additional and more detailed flashing members at terminations. This \$25,000.⁰⁰ will be coming from the Contractor Allowance from Almet. Mr. Irwin noted that if allowances are not used in one contract, with the approval of the Redevelopment Commission, those amounts can be allocated to another contracts.

Resolution 2008-86

Approving Change Order #2 to a contact with Hamilton Hunter Builders, Inc. for Bid Package #20 (Streetscape, Entry Plaza and Public Park) for the Harrison Square Baseball Stadium project

Mr. Iddins stated that considerable underground material was found. A geotechnical firm tests all the soil before there are any structures built. If the soil does not pass, then the soil must be over-excavated. To date, approximately \$190,000.00 of unsuitable materials (i.e. old foundations) has been found. \$50,000.00 of the cost is coming from Hamilton Hunters existing allowance and the remainder is coming from the project contingency. Mr. Iddins anticipates that Hamilton Hunter will be hitting more of these types of areas as they continue to build the sidewalks.

Resolution 2008-87

Approving Change Order #1 to a contract with Weigand Construction Company for the Harrison Square project

Mr. Iddins stated that one of the items that Weigand is doing to facilitate quicker turnaround is to pay all public utilities (AEP, Verizon, Comcast, NIPSCO) from their funds, which is outside the standard procedures in their contract. These companies will not proceed unless they have the money upfront and Weigand paying these makes the process more expedient. That amount is \$391,676.⁰⁰. Considering the breakdown, the NIPSCO portion of the payments is over the estimated amount because a different gas main was added down Ewing Street from the east side of the street to the west. That cost was \$22,000.⁰⁰. Also the new gas line at Webster and Douglas was not part of their original budget. The CM allowance reimbursement contains different allowances originally not contemplated at the beginning of the contract. The additional lease for some Lincoln employees also adds \$12,000.⁰⁰. Mr. Leatherman stated that as Lincoln added new employees, more parking spaces needed to be found. Those leases will come to an end in January when the new Parking Garage opens. Mr. Irwin stated that the original contract did not anticipate Weigand stepping up to expedite the payment of these expenses.

- Ms. Wire asked how much Hardball Capital has contributed to the Stadium. Mr. Irwin answered. As of today, Hardball has paid a \$375,000.⁰⁰ down payment on the Scoreboard and \$100,000.⁰⁰ has been paid for kitchen equipment. A used Growth Blanket will be purchased to cover the new grass at a cost of approximately \$12,000.⁰⁰. Committed dollars include \$1.1 million to concession equipment, \$800,000.00 for signage, the scoreboard will be approximately \$1.5 million, \$482,000.00 will go to Stadium lighting.

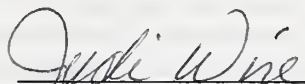
Motion by Mr. McElhoe to approve Resolutions 2008-82 through 2008-87 (2008-82 Approving Change Order #2 to a contract with Contract Dewatering Services for the Harrison Square project site; Resolution 2008-83 Approving Change Order #2 to a contract with L. A. Electric for Bid Package #17 (Electrical) for the Harrison Square Baseball Stadium project; Resolution 2008-84 Approving Change

Order #2 to a contract with Fleming Excavating, Inc. for the Harrison Square Baseball Stadium project; Resolution 2008-85 Approving Change Order #1 to a contract with Fort Wayne Roofing for Bid Package #9 (Roofing and Sheet Metal) for the Harrison Square Baseball Stadium project; Resolution 2008-86 Approving Change Order #2 to a contact with Hamilton Hunter Builders, Inc. for Bid Package #20 (Streetscape, Entry Plaza and Public Park) for the Harrison Square Baseball Stadium project; Resolution 2008-87 Approving Change Order #1 to a contract with Weigand Construction Company for the Harrison Square project); seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

- Mr. Irwin began the update concerning the left field wall where there is a confluence between the condo/retail project and the ballpark by stating that it requires a great deal of scrutiny. When the original left field area was originally conceived, it was easier from an execution standpoint to have Design Collaborative design the concourse and everything beneath it because it was integrated with the condo/retail project. That was taken out of HOK's scope of work and given to Design Collaborative, who is doing the condominiums and retail portion of the project. It was decided that the most seamless and cost effective way to do it would be for Hagerman to build the wall within the condo/retail construction. Weigand set a budget within the ballpark budget to cover the concourse which would be built at the same time the condo/retail portion was being built. The City would then reimburse Barry. Several months ago, it became necessary to complete the left field wall at a cost of \$118,000.⁰⁰ of the budget in place. There was a Change Order to include that amount into the ballpark budget to allow that work to begin. In order to finalize the concourse, the balance of that work must be completed. There will be another Change Order to complete the left field section into the ballpark budget which is being held as a placeholder. There is a budget for this work and no additional charges are contemplated. When the changes were being made to the condo project, Barry was extremely cautious to not alter the public portion. Fortunately Barry was able to find a way to not change the retail space and the condo parking area. A document delineated the costs rightly borne by Barry Real Estate and what should be born by the City. There is one wall that actually needs to be constructed at a cost of \$180,000.⁰⁰ that is the responsibility of Barry Real Estate. Mr. Irwin feels that this is a demonstration to the City of Fort Wayne that Barry is committed to the project. The construction materials for that wall need to be ordered in the next 10 days. Approval of that transaction will come before the Redevelopment Commission soon. Mr. Irwin assured the Commissioners that the ballpark will be open and all the amenities will be in place. Mr. Obergfell asked if there might be expenses that the Redevelopment Commission would have to front. Mr. Irwin believes that building this wall is in letter and spirit what Barry has agreed to do in terms of the vertical integration. If it is decided that there is another piece that should be born by Barry/Hardball, they will pay for it. Mr. Irwin stated the aquarium glass will be installed in the outfield wall.

ADJOURNMENT – Motion to adjourn by Mr. Cox; seconded by Mr. McElhoe. Meeting adjourned at 5:20 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

Adopted: 17 November 2008

FORT WAYNE REDEVELOPMENT COMMISSION
Special Meeting
3 November, 2008

TIME: 4:00 p.m.

PLACE: Room 128, City County Building, One East Main Street, Fort Wayne Indiana

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:02 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Oberghell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
Jim Lindsay, Redevelopment Specialist
John Wallace, Assistant Director
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet

OTHERS PRESENT: Jim Iddins, Weigand Construction

NEW BUSINESS

Resolution 2008-88

Approving a Change Order to a contract with Hagerman Construction Corporation

Mr. Iddins delineated the left outfield wall, the east condo wall and the elevated west concourse on a map he distributed to the Commissioners. The Change Order mainly encompasses the left outfield wall. The Change Order for \$976,479.⁰⁰ is the cost of the elevated slab for the entire area and is well within the budget. The east wall will be changed from a regular wall to a retaining wall to quickly accommodate backfilling. That cost is approximately \$36,000.⁰⁰. The retaining wall will allow the rest of the hardscape and park at the entry to be completed. Those monies will come from allowance and project contingencies. The \$34,000.00 for the west concourse is from project contingencies. The \$17,000.⁰⁰ is for additional foam to reduce the weight of the backfill on the concrete deck; that will also be paid with contingencies from the project. The first part to be completed will be the left outfield wall and then concrete will be poured to the condo when that project begins. Mr. Wernet explained that the "D" line is the line of demarcation on the ground level of the condo. The condo/retail project is delineated by the "D" line north and from the "D" line south is the concourse, part of the public space over the left field wall where the monster seats will be. Below ground, the original concept was that the entire area would parking on the north and the southeast area would be storage for the condos. On the west side at the base of the ramp down is the field maintenance area and part of the fitness center. The concept was that Barry Real Estate, in conjunction with the condo development, would build all of these amenities. At the end of the project, the Commission would acquire the concourse layer and the meeting space for \$1 million from them. Because of the delay in the development of the condos, the Redevelopment Commission will contract this work directly with Hagerman. It is all public work and none of it is benefiting the private sector. It all relates to the concourse, the left field wall, and the maintenance area. If things would have proceeded as planned, the contract would have been complete. Mr. Cox noted that the Change Order is slightly above the contingency allowed. Mr. Wernet stated that a letter will be submitted to the State Board of Accounts concerning the overage. There will be no buy back from Barry Real Estate since the Commission will be doing the entire project. The revised footprint of the condos will now be on slab instead of basement. All of the parking will be under the concourse. A discussion of the original timeframe ensued. Motion to approve by Ms. Wire; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

OTHER BUSINESS

Resolution 2008-89

Approving borrowing \$634,000.⁰⁰ to finance LEDGE Agreement with SIRVA Worldwide, Inc.

Mr. Wernet noted that at the October 20 meeting the Redevelopment Commission approved the LEDGE Agreement and tentatively approved the Lease and Sublease, subject to City Council approval. The LEDGE Agreement requires that the Redevelopment Commission provide \$211,000.⁰⁰ per year for 3 years. There is no cash available currently in the West US 30 TIF

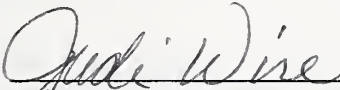
Allocation area, which includes SIRVA and Sweetwater Sound. The Commission will need to borrow those monies. The anticipation is that the Redevelopment Commission will borrow \$211,000.⁰⁰ before the end of the year and the rest of the money as needed in each of following years. The loan would be repaid with TIF funds. Mr. Leatherman stated that he is working with John Urbahns, Director of Community Development, to use CEDIT money that has been set aside for industrial development. Some of that money is not being used, and the Commission might be able to borrow from that fund. That scenario would eliminate the cost of carrying the loan. Mr. Wernet explained that when Summit Park II was built, it was financed with a loan. Because of a change in the Ordinance, City Council will have to approve this loan. That was repaid over a short period of time. Mr. Lindsay stated that in 2009 a large piece of the Sweetwater comes on line and the amount over the base would be available but not significant. Mr. Lindsay explained that the area takes in only the irregular area that was owned by North American Van Lines when the area was designated in 2003. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

- **Dimension Ford Update:** Mr. Leatherman stated that he had asked for an estimate from Martin Service Systems for the demolition of the large building and all of the asphalt. An estimate for the demolition is \$194,000.⁰⁰ to completely remove the building, including pole building, concrete and showroom. The estimate to remove all of the asphalt around the building is \$90,000.⁰⁰. A great deal of the cost of the demolition of the building would be the timing and the value of steel at the time of demolition. The higher the value of steel, the lower the cost of the demolition because of the salvage value. Since there is no rush to remove the asphalt, Mr. Leatherman believes it could be milled on site to be recycled for City projects. He noted that another entity has expressed a keen interest in the feasibility of disassembling the metal portion of building and moving it for reconstruction. They are bringing in architects and are very interested and that would drastically reduce the cost of demolition. Mr. Leatherman distributed a floodplain map showing the floodway. There is no intention of redeveloping this site. The intention is to control the property and turn it over to the Parks Department so they can create a passive green space and wetland development. Mr. Obergfell asked about the appraised amount of the property and Mr. Leatherman explained the appraisal was based on the sales comparison methodology. The only interested party in the larger building on the property is the one who wants to tear it down and move it. There are people waiting for the building to the west when it might become available. When the property is appraised, its value is not diminished by any environmental issues. A discussion of the appraisals ensued.
- **Wayne Pipe:** Mr. Leatherman stated the he and Mr. Lindsay met with the representatives of Wayne Pipe last week. They have hired a firm to do soil borings. In the process of doing 8 or 9 borings, they have encountered soil conditions that will create building difficulties. It appears that the south end of Summit Park II is lower than the north end. It also appears that dirt has been moved on that south end to deal with the lower elevation. The contractor may have moved topsoil onto the site. The fill appears to be on top of the topsoil and the topsoil needs to be removed before construction can begin. The City Technical Services staff were there monitoring the construction under a work order contact with the Redevelopment Commission. As it currently exists, the site is unbuildable. The problem can be remedied and the topsoil is not on the entire site. Wayne Pipe is anxious to begin. As a side note, the configuration of the building has been changed and there is no longer any outside storage. Wayne Pipe has changed builders and the new plan adds richness to the front of the building that faces Washington Center. The Architectural Control Committee, which is the Redevelopment Commission at this time, will review the new plans. Mr. Leatherman suggested that the Redevelopment Commission remedy the soil problem at a cost between \$40,000.⁰⁰ and \$50,000.⁰⁰. The site was advertised as shovel ready and this parcel is not. Mr. Wernet stated that the Common Construction Wage cutoff is \$150,000.00 and this remedy is significantly below that. It seems that the best route would be to escrow the money at closing, have an agreement that the Commission would reimbursement Wayne Pipe for the soil remediation on a not to exceed basis. This will not eliminate the mounding in the original design. Wayne Pipe will do more borings so staff will have the not-to-exceed cost. Mr. Wernet noted that the Redevelopment Commission acquired the site and worked with Miller Valentine to build the Park. The construction was done by Brooks Construction and Kreager Brothers was the subcontractor for the excavation. The engineer was ERI. Ms. Wire asked if there is any remedy under the law that would allow the Commission to go back on one of them for the costs. If the Commission would go back to anyone it would have to be internal to Technical Services. Mr. Leatherman noted that further testing to the north on this site did not identify any problems. A discussion of the site ensued. There will be a separate agreement with Wayne Pipe's contractor for the cost of remediating the soil compaction problem. Motion to escrow an amount not to exceed the cost of remedy for soil compaction by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

- **Bike Path on Jefferson near Illinois Road:** Mr. Guerin noted that as he drives Jefferson Blvd near the Wendy's Restaurant he notices either a pedestrian or a bicycle going against traffic on the right side. He asked the status of the bike path. Rachel Blakeman of the PIO Department called Dawn Ritchie, Greenway Manager, to inquire about the bike path. Ms. Ritchie said that there is a bike path plan from Rockhill Park to Thomas Road along Illinois Road. It is not funded at this time.
- **Dimension Ford:** a discussion of the easement ensued.

ADJOURNMENT – Motion to adjourn by Mr. Obergfell; seconded by Mr. Cox. Meeting adjourned at 4:53 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

Adopted: 17 November 2008

**FORT WAYNE REDEVELOPMENT COMMISSION
PUBLIC HEARING MEETING MINUTES
November 17, 2008**

TIME: 4:00 p.m.

PLACE: Room 126, City County Building, One East Main Street

CALL TO ORDER: Mr. Guerin called meeting to order at 4:05 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
James C. Lindsay, Redevelopment Specialist
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: Rick Samek, Carson Boxberger

OTHERS PRESENT: Rozlyn Rader, Community Development, Finance Director
Rebecca Karcher, City of Fort Wayne, PIO

NEW BUSINESS

Those speaking against approving a lease and sublease agreement for equipment located within the West Highway 30 Economic Development Area

Mr. Guerin asked if there was anyone to speak against the proposed lease and sublease. There was no response. Mr. Guerin asked two more times if there was anyone present to speak against of the lease and sublease. There were no responses.

Those speaking in favor of approving a lease and sublease agreement for equipment located within the West Highway 30 Economic Development Area

Mr. Guerin asked if there was anyone to speak in favor of the proposed lease and sublease. There was no response. Mr. Guerin asked two more times if there was anyone present to speak in favor of the lease and sublease. There were no responses.

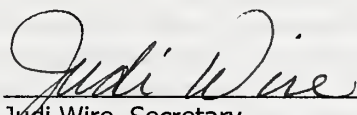
OLD BUSINESS

None

ADJOURNMENT

Motion to adjourn by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously. Meeting adjourned at 4:07 p.m.

Fort Wayne Redevelopment Commission



Judi Wire, Secretary

Adopted: 15 December 2008

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
17 November, 2008

TIME: Immediately following the Public Hearing

PLACE: Room 128, City County Building, One East Main Street, Fort Wayne Indiana

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:08 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
Jim Lindsay, Redevelopment Specialist
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: Rick Samek, Carson Boxberger

OTHERS PRESENT: None

ALLOWANCE OF CLAIMS: Motion to allow Claims of September 2008 by Mr. McElhoe; seconded by Mr. Obergfell. Motion approved unanimously

APPROVAL OF MINUTES: Motion to approve Minutes of 20 October Regular Meeting and 3 November 2008 Special Meeting by Mr. McElhoe; seconded by Ms. Wire. Motion approved unanimously

NEW BUSINESS

There were no Resolutions presented.

- **Midtowne Crossing Parking Garage** – Mr. Lindsay noted that he is the Commission's Representative to the Midtowne Crossing Owners Association and he attends the meetings as required. He stated that the Commission has a 25.69% interest in the Midtowne Crossing Horizontal Property Regime because of the ownership of the two parking garages. As a point of information to the Association, Mr. Lindsay informed the Association Members at the Annual Meeting held on October 21 2008 that the Commission will revisit the parking rate structure. The rental of the spaces in the garages constitutes the Commission's ability to pay the monthly assessments as condominium owners. Comparable parking rates in the area are significantly more. A formal recommendation for an increase in the parking rate will be brought to the Commission in December. In the past, certain owners have contacted the Commission members directly to explain circumstances. An analysis will be presented before any consideration will be given to a rate increase. In the past, the spaces were available to commercial tenants, but as the condos filled, those spaces were taken by the new residents. The fee structure at this time is \$73.⁰⁰ per space per month. Mr. Lindsay noted that the Commission has owned the garages since the condominiums were built. The parking garages constitute two condominium units. They are assessed on a square footage basis the same way as the residential and commercial space. Because the Commission is the unencumbered owner of Garage Units 1 & 2, this Body sets the rate structure.
- **Superior Street Row** – At the December meeting, the successful representatives from the group who wants to develop Superior Row will be invited. A task force was organized to assess the plans submitted. The submittal process involved meetings with Rich Davis of the DID, Jeff Paddock of Headwaters Park, John Urbahns of Community Development and Steve McElhoe of the Redevelopment Commission, all of whom worked through some issues. After review, that group forwarded the plans onto the Redevelopment Commission. If the Commission feels that the development meets the criteria set, a Memorandum of Understanding would be drafted as the next step. After that, a Request for Proposal to convey real estate for the purpose of creating a project would be issued. There are issues that need to be addressed and now is the time for the Redevelopment Commission to get involved.

OTHER BUSINESS

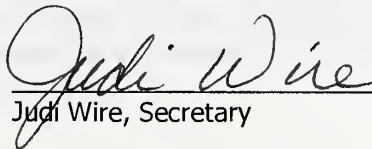
- **School Board Member** – Mr. McElhoe asked if the Redevelopment Commission is mandated to have a member from the School Board present at the meetings of this Body.

Mr. Leatherman stated the Mandate was that the Mayor appoint a School Board member to the position as an Advisory Member, as designated by State Statute. Mr. Leatherman stated that he does not believe that the requirement from the State Legislature states any more than that. The position is that of a non-voting member. It seemed that a member of Fort Wayne Community Schools Board was from the appropriate school system, even though the other school systems have jurisdiction within the boundaries of the City of Fort Wayne. Mr. Leatherman has not had contact with Mr. Corona since the Commission meeting he attended.

- **Harrison Square** – White Lodging has submitted the necessary documents to obtain building permits. The building permits have been prepared and are awaiting for pickup and payment of fees. According to Deno Yainkes, President of White Lodging, they have financing and are working to finalize construction financing. They have every desire to open a hotel here in Spring 2010. There is nothing that staff is aware of, other than uncertain financial times that have made financing more difficult, that would stop their start of construction. It is not their ability to borrow the money because they are a credible borrower. Mr. Leatherman has been told that White Lodging has never defaulted on a single hotel deal. They already have CReED credits.
- **Housing** – Mr. McElhoe asked about the \$7 million that has set aside to buy housing in depressed neighborhoods. Mr. Leatherman responded that there have been discussions regarding creating a Land Bank for those properties. There have been discussions with several entities as to which one might be the appropriate vehicle for this endeavor. Within the Community Development Division, the Redevelopment Commission is well-suited to hold real estate. The first order of business would be to make the official application to HUD and inform them how the funds would be spent. Those funds would not come to the City until January 2009 at the earliest. All the details, including how many homes would be purchased, which would be demolished and which would be rehabilitated with the \$7 million need to be determined. A discussion of the Redevelopment Commission's residential holdings and participation in the flood mitigation program ensued.

ADJOURNMENT – Motion to adjourn by Ms. Wire; seconded by Mr. McElhoe. Meeting adjourned at 4:33 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

Adopted: 15 December 2008

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
15 December, 2008

TIME: Immediately following the Executive Session

PLACE: Room 128, City County Building, One East Main Street, Fort Wayne Indiana

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:37 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Obergfell
Judi Wire
Steve Corona

STAFF PRESENT: Greg Leatherman, Executive Director
Jim Lindsay, Redevelopment Specialist
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet, Carson Boxberger

OTHERS PRESENT: John McKay, Hartland Development
Mike McKay, Morrison Kattman Menze
Jim Iddins, Weigand Construction
Jim Irwin, Barry Real Estate
Ryan Hellinger, Hagerman Construction

ALLOWANCE OF CLAIMS: Motion to allow Claims of October 2008 by Mr. McElhoe; seconded by Ms. Wire. Motion approved unanimously

APPROVAL OF MINUTES: Motion to approve Minutes of 17 November 2008 Public Hearing by Ms. Wire; seconded by Mr. Obergfell and 17 November 2008 Regular Meeting by Mr. McElhoe; seconded by Mr. Cox. Motions carried unanimously

NEW BUSINESS

Resolution 2008-90

Authorizing staff to prepare a Letter of Intent or Memorandum of Understand with Pinetree Commercial Realty for reimbursement of public infrastructure improvements in the East Illinois Road Economic Development Area, as amended

Mr. Leatherman reminded the Commissioners that a requirement was attached to the Orchard Crossing development after it had been given its full approval by the Fort Wayne Planning Commission that required the developer to add additional stormwater detention and transfer of the flow of water under Thomas Road. This called for additional culverts that were not anticipated or required at the original granting of approval by the Plan Commission. The additional work was mandated by the County Surveyor and presented to the City Board of Public Works who stated that it would set aside money to complete the work in a few years. The project would have been halted at that point. Redevelopment Commission staff was brought into the discussion, knowing that a TIF area had been proposed, but no commitments were made. There is no property tax abatement on this property so taxes will be collected relatively quickly in the 2010-2011 timeframe subject to assessment by the Wayne Township Assessor. The Letter of Intent would state that the first dollars collected on the property would be used to reimburse the cost of the culvert they are being asked to install. Pinetree has completed the work and it has been accepted by the County. Pinetree has provided staff with a very detailed list of expenditures. The first \$156,335.⁰⁰ that they pay in property taxes will be sent to them to reimburse the costs as submitted. Motion to approve by Mr. McElhoe; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2008-91

Approving an increase in the monthly parking rate in the Midtowne Crossing Parking Garages from \$73.00 to \$78.00 per space per month

Mr. Lindsay noted the last increase in the monthly parking rate for owners and tenants was in 2003. Light & Breuning, our operator, assessed the rate structure for all garages in the downtown. The rate of \$73.⁰⁰ per month is the lowest for comparable covered parking in the downtown. The City Center Garage changes between \$95.⁰⁰ and \$115.⁰⁰ per space per month; the Pappas Garage on Washington near Thirsty Camel is \$80.⁰⁰ per space per month. The National City Garage charges \$100.⁰⁰ per space per month. Additionally, the Commissioners were provided a spreadsheet of

revenues and disbursements from the Midtowne Parking garage Fund over several years and the related deficit. This increase would not eliminate the deficit but would add approximately \$5,600.⁰⁰ to the monies coming in to support the assessments the Redevelopment Commission pays and maintenance of the garages. A discussion of the aspects of downtown residential development ensued. Motion to approve by Ms. Wire; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

Presentation concerning the Superior Street Row Mixed-use Development Opportunity

Mr. John McKay noted that their development group has prepared a Powerpoint presentation to delineate some of the qualifications and concepts regarding the proposal. The development team is collaboration between Hartland Development Company LLC, Morrison Kattman Menze Architects and Hagerman Group. In response to an RFP, the group developed a proposal for the site at Superior and Clinton that outlined a proposal and concept for the development. He noted that the team is experienced in redevelopment and various members of the team have worked together on several projects. Mr. McKay noted that MKM submitted a Master Plan for Renaissance Pointe, designed the State's only LEED certified private green building, and are also the Architects of Record for the Fort Wayne Museum of Art renovation. Hagerman Construction is involved in building the Harrison Square project and Circle Center Mall in Indianapolis. In June 2006, Dan Carmondy, DID President at the time, approached MKM to help him develop some concepts and talk pieces for several of the redevelopment ideas discussed by various downtown groups as part of completing a streetscape on Superior Street. This project proposes a mixed-use development with restaurants on the first floor, office space and mixed use on the second floor and residential units on the third and fourth. A major change in the concept is that the development team believes the highest and best use of the property at this time is a two-phase process along Superior Street. Phase I and II will be built either at the same time or one immediately following the other and will incorporate parking for the expanded Club Soda. The Powerpoint presentation included a rendering of the front of the buildings with a proposed streetscape. They anticipate that the present uses of the parking spaces would continue; noting that some spaces would have to be designated for the commercial and residential tenants of the buildings to be developed in this project. The project's loft levels would include seven units per floor with 21 units in the first phase and 18 units in the second phase. They envision the building as having two main facades, if not four. The City Design Guidelines recently implemented have been incorporated into the project including pedestrian scale and pedestrian-friendly streetscape. They believe the market is heading toward urban-style loft spaces and this development uses those concepts. They anticipate a target start date in April but realize that the timeline may change, according to when approvals are issued. John McKay noted that the finance numbers have been calculated on 18 condominium units; there are 21 rental units envisioned at this time. The development team believes that the best approach is to build rental units. The design will not change except for the number of units. The financial numbers on the presentation offered does not reflect the rental scheme that is now envisioned. When filled, the rental units will generate approximately \$520,000.⁰⁰ per year. The 2006 Zimmerman-Volk Housing Market Study indicates that the market can sustain an additional 1,200 units. The occupancy rate of downtown Fort Wayne rental units exceeds 85% and indicates a strong demand for these units. The cash flows at this time are based on for-sale units, so the numbers presented are not indicative of the rental rates that would be in place. John McKay noted that they have received a \$900,000.⁰⁰ CReED investment tax credit for the project from the State of Indiana. At this time there are two Community Banks interested in financing the project and interested in the CReED tax credit. Mr. Corona asked if the tax credit limited the type of development and John McKay noted that the tax credit is dependant upon spending \$4 million on the project. In answer to Ms. Wire's question, John McKay answered that the rent would be between \$1,300.⁰⁰ and 1,500.⁰⁰ per month for 2-bedroom units of approximately 1,395 square feet, a number they substantiated with rental rates from Three Rivers Apartments and rental units in West Central. If the units are sold as condominiums, the calculated sales price would be approximately \$185,000.⁰⁰ per unit. John McKay answered Mr. Cox's questions thusly: the condominium design contemplated 18 units but a redesign for rental units added 3 units, making a total of 21 rental units. Mr. Guerin asked about the funding component of their calculations that indicated the City would be donating \$1 million and John McKay noted that was a misprint on the spreadsheet and those dollars are contained in the CReED Tax Credit and should be identified as a State Credit. Mr. Guerin asked about the timing of Phases I and II and Mike McKay answered that building Phase II is not contingent on the success of Phase I. He noted that as soon as Phase I is built, the group will begin Phase II. Mike McKay noted that the vision for the first and second floors would have higher ceilings because of the commercial uses on those floors. The depth of the building is contemplated to be the approximately the same as the Club Soda building. The east end of the building might contain some garden enhancements as it approaches Club Soda. Mike McKay stated that the hope is that all three upper floors will have balconies that would address the street and the same would be true for the units facing Headwaters Park. The DID has asked that there be on-street parking. Mr. Cox asked about the Zimmerman Volk Study and John McKay noted that the study stated that downtown could support these new residences at the rental rates indicated. John McKay noted that development must start in 2009 to be able to get the CReED tax credit. Mike McKay noted that it is their goal to enter into a Development Agreement and move the project forward to meet the April 1 deadline. Mr. Leatherman stated that the reason for this presentation was to give the Redevelopment Commission members an opportunity for question and answers and to allow the Commission to begin the process regarding a Memorandum of Understanding with parameters defined regarding the City's and the Redevelopment Commission's involvement and the developer's commitment in obtaining financing. When the Memorandum of Understanding is agreed

upon and in order to dispose of the real estate, the Commission is obligated to complete a Request for Proposal that would describe the Memorandum of Understanding. That does open the possibility for others to submit a proposal. If the Commission embraces the MOU, then this should be turned around as quickly as possible so the developer can meet the schedule. Mr. Leatherman stated that several users of the parking lot, i.e. City employees, Headwaters Park and Club Soda patrons have expressed concerns about the availability of parking knowing that some consideration must be given for the occupants of both the offices and residences. John McKay noted that the highest and best use for the remainder of the property not used by the Superior Street Row occupants would be parking. The development group realizes that the continued success and enhancement to the Headwaters Park, Don Hall's and Club Soda also enhances their project as well. The intent is not to limit or restrict people parking on that space. The group does not believe that the parking needs the development will create will take away from the current uses of the parking itself. There are approximately 270 parking spots currently and the parking lot has been underutilized. Parking needs will be dependent upon the time of day. Mike McKay noted that the transfer of the entire parking lot to the development group is essential for the retail component; the tenants will want to know that they have parking for their clients and guests and allows the developer marketability for the project. Mr. Leatherman asked that if the transfer of property as needed for development were to be enacted would that be acceptable. John McKay stated that splitting the property would take away a piece of the collateral need for financing. He stated that if the development group is taking the maintenance costs of the parking lot from the City, it would be in the interest of the City to grant the parking lot in its entirety. Mike McKay noted that parking lot makes the project much more marketable. Per City Code, the residents need 1.5 spaces per unit. If that is not readily available, then an agreement acknowledged through the routing, planning and approval process for the project to be viable. Having control of that parking makes the project more marketable and especially essential if the project becomes condominiums. He reiterated that the retail component would be much more viable if the development group had control of the parking. Mr. Leatherman noted that the City is being asked to extend the Club Soda lease and is in the process of gathering numbers so staff can present the lease to the Commission with an approximate recommendation of what the lease amount should be. Club Soda has expanded their land and want to amend their lease. That process creates some confusion as to what entity Club Soda should be negotiating with. Mr. Cox noted that transferring of the entire parcel was not part of the original request and Mr. Leatherman stated that the RFP asked for creativity for the response but did not offer the entire parking lot for transfer. He noted that it is an interesting request and one that the Commission should evaluate, but it does raise conflicts with partners in the use of that parking lot. John McKay noted that the development group would honor whatever terms were negotiated with Club Soda. Mr. Leatherman noted that with the work being done by NIPSCO there continues to be migration by City employees from that surface parking lot to the Plaza Parking Garage adjacent to the City County Building. The surface parking lot requires no parking fees where the Plaza Garage has a monthly fee. Mike McKay noted that he estimates that 80 spaces would be consumed by the buildings. He believes that the RFP assumed the developer would have control of the entire block and cited Chapter 3, Paragraphs 3.2, 3.3 and 3.4 of the RFP. Mike McKay stated that the parking for City employees in that parking lot is now free and he would look for offsetting income that could become part of the negotiations. A discussion of the cars that park on that lot ensued. John McKay stated that he submitted ownership of the entire block to the bank as collateral for the financing. Mr. Leatherman noted that the intent of the RFP was not to offer the entire block as collateral. Mike McKay noted that instead of a Memorandum of Understanding, their group would prefer a Development Agreement and to go through the RFP process for the transfer of property. Mr. Wernet stated that drafting a Development Agreement that meets everyone's interests would be appropriate. Mike McKay noted that their construction crews would use the Phase II development area as the staging area for Phase I.

Resolution 2008-92

Ratifying and approving professional service, utility and miscellaneous contracts relative to the Harrison Square Baseball Stadium project

Mr. Leatherman stated that the Commission needs to consider four separate contracts that were envisioned and discussed as part of the overall budget for Harrison Square. These include Comcast Cable for fiber optic connectivity, Sky Design for signage and graphics, Williams Electronics for security surveillance and alarm systems in the Stadium and Corsair which manufactures food and beverage related products. These contracts have always been part of the contracts proposed for the Harrison Square development. There will be one more contract for the Wrigley Field style seating for the upper floor of the conference center. The Comcast Cablevision contract is for the IT backbone for the Stadium. Mr. Irwin noted that the basic cable contract is wiring the ballpark for telephone; however, the focus was to do the cabling in a way that was forward thinking using more fiber optic instead of the CAD 5 cable to ensue that there was no obsolescence in the ballpark. A discussion of the applications that could be put in place with the "backbone" ensued. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

- Mr. Irwin noted that the next resolutions are neither increases nor decreases to the contract amounts but are simply accounting for the ballpark. Some items existed within the bid packages, others have been tracked as separate items. Mr. Iddins stated that these resolutions relate the Batter's Eye structure in Center Field and an outfield bar and a right field buffet. The Change Orders from 2008-93 to 2008-103 all relate to those three projects. Comparing the original budget, there is a \$200,000.⁰⁰ savings in these Change Orders. Mr. Irwin stated that he was able to get more than originally envisioned for \$200,000.⁰⁰ less.

Because of those savings, a heavy-timber trellis structure to serve the right field picnic area was added..

Resolution 2008-93

Approving Change Order #1 to a contract with VFP for Bid Package #16 (Fire Protection) for the Harrison Square Baseball Stadium project

Mr. Iddins noted that these are the fire sprinklers for the Batter's Eye.

Resolution 2008-94

Approving Change Order #2 to a contract with Fort Wayne Roofing for Bid Package #9 (Roofing and Sheet Metal) for the Harrison Square Baseball Stadium project

Mr. Iddins stated that this is the roofing and sheet metal for the Batter's Eye and the outfield bar.

Resolution 2008-95

Approving Change Order #1 to a contract with Rosema Construction for the Harrison Square Baseball Stadium project

Mr. Iddins noted that this contract is for the metal studs and walls for the Batter's Eye and a small amount of work on the outfield bar.

Resolution 2008-96

Approving Change Order #2 to a contract with Thomarios (Painting) for the Harrison Square Baseball Stadium project

Mr. Iddins said that this resolution is for painting the outfield bar as well as the Batter's Eye.

Resolution 2008-97

Approving Change Order #3 to a contract with Hagerman Construction Corp. (Concrete) for the Harrison Square Baseball Stadium project

Mr. Iddins noted that in the original bid document there was some estimates for foundation structures. This is the difference of what was in the original scope and what are the costs of the foundations actually were. They will also be pouring the foundation for the trellis foundation in the right field.

Resolution 2008-98

Approving Change Order #1 to a contract with Hagerman Construction Corp. (Masonry) for the Harrison Square Baseball Stadium project

Mr. Iddins noted that this expense will be the cost of brick around the bottom of the Batter's Eye and some masonry work at the right field buffet.

Resolution 2008-99

Approving Change Order #2 to a contract with Nationwide Construction for the Harrison Square Baseball Stadium project

Mr. Iddins stated this is for the fencing for the back side of Batter's Eye structure. Mr. Irwin noted that an attempt will be to grow ivy up the back of the Batter's Eye in a Wrigley Field manner.

Resolution 2008-100

Approving Change Order #1 to a contract with Tile Interiors for the Harrison Square Baseball Stadium project

Mr. Iddins noted that this will be the flooring for the Batter's Eye structure and a small amount of tile in the restrooms.

Resolution 2008-101

Approving Change Order #3 to a contract with L. A. Electric for the Harrison Square Baseball Stadium project

Mr. Iddins stated that similar to the concrete Change Order there was a original budget but a minor amount of work will be completed for the kitchen equipment.

Resolution 2008-102

Approving Change Order #1 to a contract with Schenkel & Sons for the Harrison Square Baseball Stadium project

Mr. Iddins stated that this is the largest Change Order because of all the Cedar wood that costs approximately \$176,000.⁰⁰. It is also largest work package because Schenkel will be installing all the doors, restroom accessories and the wood trellis structure as well as the foundations for all of these additions.

Resolution 2008-103

Approving Change Order #2 to a contract with A. Hattersley for the Harrison Square Baseball Stadium project

Mr. Iddins noted that Hattersley will be doing the plumbing for the Batter's Eye. The largest portion of their contract will be bringing in a new water service for the structure. There is a small amount of work to be done in the new bar area also.

Motion to approve Resolutions 2008-93 through 2008-103 by Mr. McElhoe; seconded by Ms. Wire.
Motion carried unanimously without further discussion.

OTHER BUSINESS

Resolution 2008-104

Approving Change Order #2 to a contract with Weigand Construction Company for the Harrison Square Baseball Stadium project

Mr. Iddins stated that this cost is Weigand's supervision for the Batter's Eye, it also includes general conditions. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2008-105

Approving Change Order #4 to a contract with Hagerman Construction Corp. for the Harrison Square Baseball Stadium concrete package

Mr. Iddins stated that Hagerman will be doing the elevated concourse on left outfield wall. The structural engineers added a sheer wall underneath the wall to strengthen it. There will also be some additional storage in the maintenance area. Included is an allowance for winter protection since the structure will be built during December, January and February. The allowance will be tracked on a time and material basis. Motion to approve by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2008-106

Approving Change Order #2 to a contract with Hagerman Construction Corp. for the Harrison Square Baseball Stadium masonry package

Mr. Iddins stated that this Change Order deals with five different items. It includes correcting flashing issues with the brick pier as well as adding coping on a few areas. He noted that this also includes what he called rounding out the scope of the masonry that was not clearly shown the drawings or to deal with the changes made on site. Motion to approve by Mr. McElhoe; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2008-107

Approving Change Order #2 to a contract with L.A. Electric for Contract #3, underground electrical work for the Harrison Square site

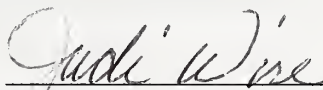
Mr. Iddins stated that this will be the power for the City Park and there might be some discussions later concerning the \$500,000.⁰⁰ contribution from the Parks Department. The contract for Hamilton Hunter was \$468,000.⁰⁰ and there should be discussions about them picking up the cost of running power to that Park. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

- **Fleming Change Order** – Mr. Iddins noted that Fleming will complete utility revisions for \$33,000.⁰⁰. The south parking lot had to have downspouts reworked because a conflict between the plumbing drawings and the site drawings. The work has been completed. On the southwest parking lot there is some over-excavation because of unsuitable soils. On the west side of third base some soils need to be recompacted because of the sewer work being done. The method the Utility Department uses does not meet the Harrison Square compaction standards. On the east side there is an additional \$5,000.⁰⁰ for excavation because the original drawings did not show the ticket booth. There were also inlets reset on Ewing Street. A resolution will be brought to the January 2009 meeting for approval. Motion to approve the Change Order subject to a Resolution by all. Motion carried unanimously.
- **New Bloom** – Mr. Guerin asked that if any funds are available at the end of the project, the unspent contingency be used to help fund public art. Mr. Leatherman noted that a small area is being made available to Dianna Thornhill-Miller for a piece she is working on that is a stainless steel Iris with LED lighting. It will be placed just off the Plaza near the main gateway on Webster Street. The artists are looking for funding and there have been some contributions made already. There have been talks about helping fund the project after all other expenses are paid. Included in the City's contribution is the site, the mounding, the dirt and some wiring. The Mayor's Office and others have delineated all the funding they can count on from the City at this point. Mr. Corona questioned the choice of a flower sculpture in the baseball stadium. Mr. Guerin stated that the New Bloom would be in Meyer Park adjacent to the actual stadium. Mr. Irwin noted that there are no less than four locations that have been constructed within the ballpark with public art in mind. Mr. Leatherman suggested that there might be a public Request for Proposal for art, instead of adopting one piece.
- **Wayne Pipe and Supply** – There were borings done on the Summit Park II site to determine the amount of unsuitable soils present. It has been discovered that soils were brought in to cover the top soil. In the examination process, test pits have been dug on the site. Those excavations discovered even this practice was more wide-spread than previously believed. This situation has caused this site to be a more expensive to build upon than was thought when it was advertised as a shovel-ready. The building team includes MIT, Foresight Engineering, Luntz Excavation, Specialties (a company that deals with bad soils) and Hagerman Construction. Hagerman has all been involved in the preparation of the document

that delineates the problems. They have come up with five or six different option about how to deal with the problem. Those costs range from 134,000.⁰⁰ to \$300,000.⁰⁰. Mr. Leatherman denoted the problems on a map he distributed to the Commission members and noted that this problem is confined to the far southeast corner of the Park. Trane and Ceruti's have not encountered these problems on their building sites. The soil testing firm that was hired for the development was the City's Technical Services Group. When these types of things occur, the City usually goes back to the testing firm. If we did that, we would be going back on ourselves to assign the liability for the error in site preparation. Mr. Leatherman stated that he will be working with Carol Taylor, the City Attorney, to see what options are available. The bottom line is that the Commission is looking at an additional \$135,000.⁰⁰, including the \$50,000.⁰⁰ already committed. Ryan Hellinger of Hagerman Construction stated that if a line were drawn from the northeast corner south and heading west and continuing north along the building foundation line, a foundation ribbon could be built and soil could be imported and placed into the 12 foot wide by 5 foot deep trench. The foundations would be excavated from the imported soil. There would be a bridging mechanism used to treat the site and to treat the remainder of the building pad at a later date. The building is scheduled to be brought in on February 13 and the soil could be dried on the inside with heating and fans but would allow building to continue. The estimates for doing that were approximately \$10,000.⁰⁰ less if there is a good Spring. The cost of the lot was \$354,000.⁰⁰. A discussion of the fill line and drainage ensued. Mr. Leatherman stated that \$125,000.⁰⁰ is the hopeful number and \$135,000.⁰⁰ is the high number. This would allow the building to go forward with the project. Mr. Hellinger stated that this cure should take care of any of the soil related problems brought onto the site. Motion to spend up to \$135,000.⁰⁰ on remedies for the soil problems at Summit Park II by Ms. Wire; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

ADJOURNMENT – Motion to adjourn by Ms. Wire; seconded by Mr. McElhoe. Meeting adjourned at 6:25 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

Adopted: 15 December 2008

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
20 January, 2009

TIME: 4:00 p.m.

PLACE: Room 200, City County Building, One East Main Street, Fort Wayne Indiana

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:03 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Obergfell
Judi Wire

STAFF PRESENT: John Wallace, Assistant Director
Jim Lindsay, Redevelopment Specialist
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet, Carson Boxberger

OTHERS PRESENT: Jim Iddins, Weigand Construction
Cory Miller, SchenkelShultz Architecture

ALLOWANCE OF CLAIMS: Motion to allow Claims of November 2008 by Mr. McElhoe; seconded by Ms. Wire. Motion approved unanimously

APPROVAL OF MINUTES: Motion to approve Minutes of 15 December 2008 Regular Meeting by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously

The meeting began with Other Business to facilitate Mr. Iddin's need to leave the meeting by 4:30 p.m.

OTHER BUSINESS

Mr. Iddins explained that Resolutions 2009-06 through 2009-11 are Change Orders for the Harrison Square Baseball Stadium project. Mr. Guerin asked that Mr. Iddins explain each of the Change Orders and the Commission would then approve or disapprove of them at the end of the presentation.

Resolution 2009-06

Approving Change Order #4 to a contract with L. A. Electric for Bid Package #17 (Electrical) for the Harrison Square Baseball Stadium project

Mr. Iddins explained that some additional lighting added to the Batter's Eye and bar structure was approved at the last meeting. The cost of this additional work \$13,837.⁰⁰. The additional electric work was for kitchen and related equipment needed in the Batter's Eye and the outfield bar area.

Resolution 2009-07

Approving Change Order #5 to a contract with L. A. Electric for Bid Package #17 (Electrical) for the Harrison Square Baseball Stadium project

Mr. Iddins noted that this Change Order is for a number of requests including adding four banner arms on the poles located at the Home Plate Entry Plaza, the addition of a cable tray for the phone and data system backbone throughout the facility, additional power to the suite kitchenettes, the electrical rough-in for the addition of two matrix scoreboards on the suite level, changes to the audio visual system, the relocation of a TV panel and a transformer and the additional rough-in for televisions in the concession areas. The total cost of this Change Order is \$48,623.⁰⁰

Resolution 2009-08

Approving Change Order #3 to a contract with L. A. Electric for Contract #3, underground electrical work, for the Harrison Square site

Mr. Iddins stated that AEP required additional conduit at the Jefferson Plaza area and they also required two services to feed the lights at Jefferson Plaza and the maintenance/office areas. The total cost of the installations is \$29,029.⁰⁰.

He noted that all these Change Orders (Resolution 2009-06 through 2009-11) are figured into the budget for the Stadium and do not impact the budgeted cost of the project.

Resolution 2009-09

Approving Change Order #3 to a contract with Nationwide Construction Group for Bid Package #7 (Miscellaneous Metals, Handrails and Fencing) for the Harrison Square Baseball Stadium project

Mr. Iddins explained that at the beginning of the project, several items were value engineered out, i.e. the ornamental gates. Because there is money now available, Nationwide will be reconfiguring and redesigning the gates to enhance the look of the entrances at the Home Plate Plaza and the Jefferson Plaza. The cost of this Change Order is \$42,578.⁰⁰.

Resolution 2009-10

Ratifying and approving Change Order #4 to a contract with Fleming Excavating, Inc. for the Harrison Square Baseball Stadium Mass Excavation and Utilities package

Mr. Iddins noted that several items are covered in this Change Order including additional excavation in the left outfield. The bulk of the Change Order is to address drainage, subsurface drainage and sewer operation in the concourse and to install a grinder lift station. The rest of the work is for the interaction with the City Utilities stormwater project on Ewing Street. The total cost of this Change Order is \$64,024.⁰⁰, of which \$47,922.⁰⁰ is for the drainage and sewer operation.

Resolution 2009-11

Approving Change Order #3 to a contract with Fort Wayne Roofing for Bid Package #9 (Roofing and Sheet Metal) for the Harrison Square Baseball Stadium project

Mr. Iddins stated that this Change Order addresses the addition of canopies to the three ticket windows, the player entryway and the team administration entry. This includes aesthetically enhancing those areas by eliminating the downspouts. These costs total \$14,900.⁰⁰.

Mr. Iddins noted that the construction is on schedule and the Stadium will be ready for Opening Day on April 15. Seat installation began today.

Motion to approve Resolutions 2009-06 through 2009-11 by Mr. McElhoe; seconded by Ms. Wire.
Motion carried unanimously without further discussion.

NEW BUSINESS

Approving Change Order #2 to a contract with W. A. Sheets & Sons, Inc. for the Harrison Square Parking Deck

Mr. Lindsay introduced Cory Miller of SchenkelShultz Architects who gave an update on the Parking Deck at Harrison Square. Mr. Miller noted that approximately 580 spaces will be available for Lincoln National employees in the parking garage. The goal is that those employees will be able to park in the garage on 1 February 2009. Mr. Miller noted that he is working with the Fire Department, Building Department and the regulatory departments of the City to obtain a temporary Certificate of Occupancy (C of O). When the Conference Center is complete, the final C of O will be obtained. Mr. Lindsay stated that by 1 March 2009, the goal is to have at least some of public parking spaces available. Contingent upon the weather, the landscaping will be completed, some walkway and caulking work will be completed, as well as a permanent striping in the Garage and completion of the Conference Center. Mr. Miller noted that the parking inside the Garage should not be an issue on April 15. The Conference Center is the project with the most variables because it has a complex roofing system and an occupied roof with seating. The parking deck will not be sealed, but there is corrosion inhibitor in the concrete. If there is money left in the contingency, consideration will be given to sealing the concrete. The corrosion inhibitor has a lifespan of approximately six years. After that, the garage should be sealed. He noted that there was no damage to the garage resulting from a gas line break and ensuing fire on 9 January 2008. Once the power is turned on, L. A. Electric can access if there is any water damage to the wiring or boxes. There is insurance in place if there are any damages. Mr. Miller explained that Change Order #2 is a deduct of \$136,021.⁰⁰ in allowances for security, signage and signage installation and parking equipment. Motion to approve by Mr. Cox; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2009-02

Approving a contract for professional legal services with Carson Boxberger Attorneys

Mr. Lindsay explained that this contract for professional legal services is for \$175.⁰⁰ per hour, which is the same fee as charged in 2008. This contract covers not only John Wernet but other attorneys in Carson Boxberger's practice. Motion to approve by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2009-03

Approving an Escrow Agreement pursuant to the sale and development of real estate in the Summit Industrial Park Urban Renewal Area

Mr. Lindsay reminded the Commissioners of the decision at the last meeting to approve funding up to \$50,000.⁰⁰ to be used toward remediating the unsuitable soils, mainly topsoil, on the site that Wayne Pipe and Supply has purchased and is developing in Summit Industrial Park II. In November the Redevelopment Commission approved an allowance not to exceed \$50,000.⁰⁰ from the sales proceeds of that property for remediation. In December, the Redevelopment Commission approved

spending up to \$135,000.⁰⁰ for the remediation from the sale proceeds. He noted that Legal Counsel will compose a standard form of Escrow Agreement for funding the remediation. Carol Taylor, the City Attorney, is looking into what options might be available concerning the people who did the oversight for the soils at the time of construction. A discussion of the Shovel Ready designation ensued. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2009-04

Ratifying and approving Change Order #3 to a contract with Fleming Excavating, Inc. for the Harrison Square Baseball Stadium mass excavation and underground utilities package

Mr. Lindsay noted that this Change Order ratifies the Redevelopment Commission's action at the last meeting. Utility work, in the amount of \$63,111.⁰⁰, was needed to accommodate the work being done by City Utilities. That includes sanitary and stormwater improvements to the north of the Stadium. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2009-05

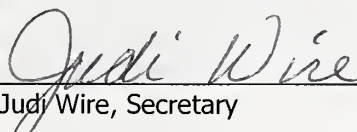
Ratifying and approving a contract relative to the Harrison Square Stadium project for bleacher seating

Mr. Lindsay noted that at the December meeting Staff was directed by the Commission to complete a Resolution for the Wrigley Field-style bleacher seating on the Parking Deck. National Recreation Systems, the low bidder, is a Fort Wayne firm. Two other bids were received from companies, one in Texas and the other in Missouri. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Mr. Obergfell abstained because of Tower Bank's affiliation with NRS. Motion carried without further discussion.

- **February Meeting** - A discussion concerning holding the February meeting at Harrison Square ensued. Mr. Lindsay stated that work ceases at the site at approximately 3:30 p.m. and the meeting would not interfere with the construction. There is Conference Room large enough to accommodate the public. There should be ample parking in the garage or in the Redevelopment owned parking lot across the street. Mr. Cox asked if the meeting would be taped and Mr. Lindsay stated that he would investigate.
- **IACT** - Mr. Lindsay noted that he will be attending a meeting in February hosted by Indiana Association of Cities and Towns (IACT) concerning House Bill 1001 and its impact on TIF Funds. IACT is sponsoring a change to the Redevelopment legislation regarding Tax Increment Replacement. Before July 1, 2008 the Commission had the ability to engage Tax Increment Replacement for four of our Tax Allocation Areas that had debt service or other obligations. House Bill 1001 changed that and made the process of securing the tax increment replacement more difficult.

ADJOURNMENT – Motion to adjourn by Ms. Wire; seconded by Mr. McElhoe. Meeting adjourned at 4:47 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

Adopted: 16 February 2009

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
16 February, 2009

TIME: 3:30 p.m.

PLACE: Harrison Square Conference Center, 1301 Ewing Street, Fort Wayne Indiana

CALL TO ORDER: Mr. Guerin called the meeting to order at 3:35 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Obergfell
Judi Wire
Steve Corona

STAFF PRESENT: Greg Leatherman, Executive Director
John Wallace, Assistant Director
Jim Lindsay, Redevelopment Specialist
Julie Sanchez, Redevelopment Specialist
Tom Cain, Urban Landscape Designer
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet, Carson Boxberger

OTHERS PRESENT: Jim Irwin, Barry Real Estate Companies
Jim Iddins, Weigand Construction
Perry Ehresman, Parks Department

ALLOWANCE OF CLAIMS: Motion to allow Claims of December 2008 by Mr. McElhoe; seconded by Ms. Wire. Motion approved unanimously

APPROVAL OF MINUTES: Motion to approve Minutes of 20 January 2009 Regular Meeting by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously

NEW BUSINESS

Resolution 2009-12

Ratifying and approving a miscellaneous contract (Signage for Parking Garage) relative to the Harrison Square Baseball Stadium project

Mr. Lindsay noted that at last month's meeting there was a negative Change Order in the form of an allowance from the parking garage. This Change Order adds work elements that consist of two large parking garage signs at a cost of approximately \$10,000.⁰⁰ each. These follow the same design as the Downtown Parking and Wayfinding System signage. One sign will be located on Douglas Street across from Federal Building and the other across from the Botanical Conservatory on Harrison Street. Motion to approve by Ms. Wire; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

Resolution 2009-13

Approving Change Order Number 1 to a contract with The Motz Group for Bid Package #18 (Playing Field) for the Harrison Square Baseball Stadium project

Mr. Lindsay stated that this Change Order is a deduction of \$5,514.⁰⁰ reflecting, on a unit cost basis, the services and supplies (fertilizer, etc.) not needed for the completion of the Playing Field. Motion to approve by Mr. McElhoe; seconded by Mr. Cox. Motion carried unanimously without further discussion.

OTHER BUSINESS

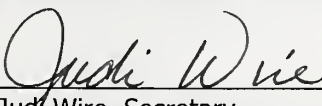
- **Harrison Square/Meyer Park** – Mr. Wernet stated that the area beyond Center Field will be under the auspices of the Parks Department. During ticketed events, under the Stadium License Agreement and the Stadium Management Agreement, the park area becomes part of the Stadium area and subject to Hardball's management. During these ticketed events and under the Alcoholic Beverage License, Hardball is the sole food and beverage provider in the Stadium or the Park to protect Hardball, the City and the Parks Department. Hardball has all the necessary indemnifications and insurances to protect the Parks Department and the City. During non-ticketed events, the Park, Stadium and Concourse areas will be completely open to the Public. The Parks Department will be in charge of all maintenance, management for park-sponsored activities in Meyer Park. Obviously, before and after Stadium events Hardball is responsible for trash collection, etc. involved with those events they manage. Perry

Ersman of the Parks Department stated that the Parks Department will also have special events in the Park area and the City has the opportunity to schedule special events in the Stadium/Park area also. At those times when the Park is closed to the public for private park-sponsored activities, alcohol could be served at Meyer Park. The Parks Department will be at City Council to change the City Ordinance to allow Meyer Park to serve alcohol. The Park Board is also taking proactive steps to its Policy to make sure the whole Stadium area works seamlessly for Hardball, the City and the Parks Department. Hardball Capital will schedule all events at the Park, 90% of the time the Park will be open to the Public and people will be able to walk in and enjoy the Park. Hardball will provide security for any event that they control. For City events, the City will provide security both inside and outside the Stadium area. A discussion of security measures ensued. Mr. Irwin noted there is a contract with Williams Security to provide 24-hour camera security. All property (i.e. Concession stands, carts, etc.) will be secured when the Stadium is not in use.

- **Superior Street Row RFP** – Mr. Leatherman noted that he and Mr. Lindsay have been working with the McKay brothers and their development group to come to an understanding regarding the process that will follow a Request for Proposal that makes approximately 8,000 square feet available for sale on which the development is proposed to set. There are appraisals on hand and a price for that pro-rata share of the Parking Lot needed for the development. The successful bidder will be granted a permanent easement for parking as demonstrated necessary so that the project can economically work. After that, a rough snapshot of the project will be considered and then a proposal request based on the parameters set by the development group (32,000 square feet on four floors, with retail, office and residential space included) will be prepared. Hartland Development has stated that this scenario works for them and they have gone to their players and received confirmation that the project will work in those confines. After discussions with Headwaters Park people, an assurance was made to consider some kind of parking structure in the future to accommodate the tenants, patrons of Club Soda and City vehicles that use that lot, if future development warrants it.
- **Annual Report** – Mr. Leatherman noted that a draft copy of the Annual Report was distributed to the Commissioners for their comments.
- **Mowing Contract** – Mr. Lindsay stated that the staff, along with other department within the City, undertook a Six Sigma project of combining all the mowing contracts in the City and received very competitive bids. The bid amount for all Redevelopment-owned property is approximately \$7,300.⁰⁰. This is significantly lower than when the Redevelopment Commission bid the work out itself.
- **Commissioner for 23 February Bid Opening** – There will a bid opening for the street resurfacing necessary surrounding the Harrison Square project (Ewing, Brackenridge and Harrison streets). Jefferson was not damaged during construction. Mr. McElhoe stated that he would be available for the bid opening. If he becomes unavailable, Mr. Obergfell will attend.
- **Tour of Harrison Square Baseball Stadium by Jim Irwin and Jim Iddins after Adjournment**

ADJOURNMENT – Motion to adjourn by Ms. Wire; seconded by Mr. McElhoe. Meeting adjourned at 4:00 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

Adopted: 16 March 2009

FORT WAYNE REDEVELOPMENT COMMISSION
Special Meeting
4 March, 2009

TIME: 4:30 p.m.

PLACE: Harrison Square Conference Center, 1301 Ewing Street, Fort Wayne Indiana

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:35 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Obergfell

STAFF PRESENT: Greg Leatherman, Executive Director
Jim Lindsay, Redevelopment Specialist
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet, Carson Boxberger

OTHERS PRESENT: None

NEW BUSINESS

Resolution 2009-14

Approving a contract with Wayne Asphalt for road resurfacing for the Harrison Square mixed-use development project

Mr. Leatherman stated the streets to be resurfaced in this contract are Ewing, Brackenridge, Webster and Douglas; it excludes Harrison and Jefferson. The streets included are the ones that have been heavily damaged by the work of installing the new water and sewer lines in the area. The RFP was sent out and the 3 bids came in above Engineering's estimates. At the time of the bid opening, the lowest bid was \$150,000.⁰⁰ over the estimate. In reviewing the bids, one item was identified that was out of line with the estimates - the signalization costs that needed to be added or repaired. That cost was almost \$100,000.⁰⁰. There were discussions with LSI, who is subcontracting the signalization work. LSI provided the same bid to each of the three bidders. The amount of the reduction that they are being asked to do is the same for all the bidders, so it does not change the outcome of the three bids received. \$90,000.⁰⁰ of changes and modifications were identified. This resolution accepts the contract but only agrees to pay up to \$560,000.⁰⁰ for the work. In addition to the \$90,000.⁰⁰ reduction, there is also a \$75,000.⁰⁰ contingency in the bid. The staff of the Engineering Department thought that was an extraordinarily large contingency for a resurfacing job. ERI and Weigand submitted that amount for contingencies. Staff feels that there should be another \$60,000.⁰⁰ left in the contract because the contingency is not expected to be spent. A discussion of the contingency ensued. The funding for this project will come from Jefferson/Illinois TIF. The estimated completion date is April 1, 2009. Motion to approve by Mr. McElhoe; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2009-15

Approving Change Order Number 1 to a contract with Wayne Asphalt for the Harrison Square mixed-use development project

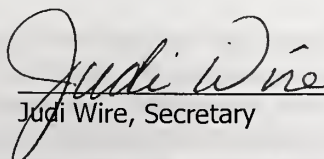
Mr. Leatherman noted that this Resolution codifies the \$90,000.⁰⁰ reduction in the previously approved contract. Motion to approve by Mr. McElhoe; seconded by Mr. Cox. Motion carried unanimously without further discussion.

OTHER BUSINESS

- **Acting Secretary** – In the absence of Secretary, Judi Wire, Mr. McElhoe was nominated by Mr. Obergfell to act on her behalf for this meeting only as Acting Secretary. Motion seconded by Mr. Cox. Motion carried unanimously without further discussion.

ADJOURNMENT – Motion to adjourn by Mr. Obergfell; seconded by Mr. Cox. Meeting adjourned at 5:00 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION


Judi Wire, Secretary

Adopted: 16 March 2009

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
16 March, 2009

TIME: 4:00 p.m.

PLACE: Omni Room, 250 City County Building, One East Main Street,
Fort Wayne Indiana

CALL TO ORDER: Mr. McElhoe called the meeting to order at 4:03 p.m.

ROLL CALL: Steve McElhoe
Casey Cox
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet, Carson Boxberger

OTHERS PRESENT: Jim Iddins, Weigand Construction

ALLOWANCE OF CLAIMS: Motion to allow Claims of January 2009 by Mr. Obergfell;
seconded by Ms. Wire. Motion approved unanimously

APPROVAL OF MINUTES: Motion to approve Minutes of 16 February 2009 Regular Meeting
by Ms. Wire; seconded by Mr. Cox and 4 March Special Meeting
by Mr. Cox; seconded by Mr. Obergfell. Ms. Wire abstained.
Motion carried.

NEW BUSINESS

Election of Officers:

Mr. McElhoe nominated Mr. Guerin to retain his position as President of the Redevelopment Commission; seconded by Ms. Wire. There were no other nominations. Mr. Guerin indicated to Mr. Leatherman that he would accept the position of President. Motion carried unanimously to retain Mr. Guerin as President

Mr. Cox nominated Mr. McElhoe to retain his position as Vice-President of the Redevelopment Commission; seconded by Ms. Wire. There were no other nominations. Mr. McElhoe accepted the nomination as Vice President. Motion carried unanimously to retain Mr. McElhoe as Vice President

Mr. McElhoe nominated Ms. Wire to retain her position as Secretary of the Redevelopment Commission; seconded by Mr. Obergfell. There were no other nominations. Ms. Wire accepted the nomination as Secretary. Motion carried unanimously to retain Ms. Wire as Secretary.

Resolution 2009-16

Ratifying and approving a miscellaneous contract (Signage for Parking Garage) relative to the Harrison Square Stadium project

Mr. Lindsay explained that the contract for Norquist Sign Company for parking garage signage is being submitted for ratification as the line items contained in the contract are a part of the approved project budget and scope of work for the parking garage and were undertaken following the construction of the garage. Mr. Leatherman noted these signs are internal only. A decision was made to create the external signs that are consistent with the City's system of signage and that is being done under another contract. He noted that the garage should be open very soon. Federal Building employees are temporarily parking in the garage until the street resurfacing around the Stadium is complete. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Stadium Budget Discussion

Mr. Leatherman distributed a revised budget for the Stadium and noted that all the infrastructure costs are included in the 8,600,000.⁰⁰ figure, excluding infrastructure improvements outside the stadium. He noted that during the recent significant rainfall event, there was no standing water on the playing field or in the stadium. The original estimate for the ballpark was \$30,600,000.⁰⁰ and that number remains as the estimate. The things added to project wants list were delayed until ²/₃ of the project was completed, including outfield bar area, the outfield grill area, high-speed backbone for internet, and extra video boards. Some of the Change Orders address those add-ons and some of

the Change Orders address the allowances within executed contracts. The cost of the Parking Deck is \$13,500,000.⁰⁰. The Project Coordination fee of \$1,650,000.⁰⁰ is for Barry Real Estate. The remaining contingency is \$45,000.⁰⁰ which is in addition to Weigand's remaining allowances of \$160,000.⁰⁰. That brings to total cost of the Stadium and Parking Deck to approximately 55,600,000.⁰⁰. The amount contained in the boxed-off area below these figures is the manner in which the \$5.6 million contribution is being spent by Hardball Capital on the project. 80% of the \$5.6 million has been expended and the rest is under contract. Mr. Wernet noted that all of those contributed expenses are paid by Hardball Capital directly and do not come before the Redevelopment Commission. Hardball Capital provides the Finance Director with proof of purchases so there is third party evidence of the purchases and payments. Mr. Leatherman explained that all of the expenses that Hardball Capital is paying are for fixtures so those purchases are easily tracked.

Resolution 2009-17

Approving Change Order Number 3 to a contract with Hamilton Hunter Builders, Inc. for Bid Package #20 (Streetscape, Entry Plaza and Public Park) for the Harrison Square Baseball Stadium project

Mr. Iddins explained that during the course of construction, additional unsuitable soils were discovered at the lower level of the main entry at Jefferson Plaza. This work required digging around numerous utilities and backing filling the work. Also three (3) 8-inch deep concrete approaches to the parking garage were extended. The extensions added an additional 773 square feet of concrete. These improvements add \$39,030.⁰⁰ to the contracted amount. Motion to approve by Mr. Obergfell; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2009-18

Approving Change Order #5 to a contract with Hagerman Construction Corporation for the Harrison Square Baseball Stadium project

Mr. Iddins stated that the allowance was used to protect the concrete in the amount of \$100,000.⁰⁰; the amount of their allowance previously was \$50,000.⁰⁰. Some of their allowance fee was deducted for Weigand fees. Additional area drains that were not specified in the original drawings were installed at the left field structural deck. These changes increase the contract by \$92,551.⁰⁰. Motion to approve by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2009-19

Approving Change Order #2 to a contract with Schenkel & Sons for Bid Package #8 (General Construction) for the Harrison Square Baseball Stadium project

Mr. Iddins noted that this Change Order includes changes to the Batter's Eye, Outfield Bar and Picnic area base columns and furnishing and installing wood blocking at the flat panel televisions in the Concession Area. Three wooden trellises were installed near the monster seats in left field and additional flooring was added in the batting tunnel. The cost of these modifications is \$54,792.⁰⁰. Motion to approve by Mr. Obergfell with correction to scribner's error in Number 1 of the Resolved portion of the Resolution; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2009-20

Approving Change Order #1 to a contract with Hall Aluminum Products for Bid Package #10 (Glass & Glazing) for the Harrison Square Baseball Stadium project

Mr. Iddins explained that two additional doors by the Press Box were installed and modifications were made to the ticket windows at a cost of \$9,790.⁰⁰. Motion to approve by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2009-21

Approving Change Order #2 to a contract with Tile Interiors for Bid Package #12 (Flooring/Tile) for the Harrison Square Baseball Stadium project

Mr. Iddins explained that flooring changes were made to the suite level bar and lounge areas at a cost of \$56,647.⁰⁰. These changes included adding ceramic tile wainscoting to a height of approximately 4 1/2 feet on the wet walls in the restrooms to replace the drywall there. The change will allow more sanitary and easily cleaned areas. There was also a change in the resilient flooring to incorporate a baseball logo. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2009-22

Approving Change Order #4 to a contract with Thomarios for Bid Package #13 (Painting) for the Harrison Square Baseball Stadium project

Mr. Iddins noted the party level suite deck on the east end was not originally painted and this painting finished the look of the area. Painting modifications were made to several areas including a modification that deducted painting of interior ceilings of several janitor closets and mechanical rooms. The overhead doors were also painted. Some of the mechanical rooms that were only dry walled and taped were painted. Reveals were also painted on the Concourse, along with other minor painting of exposed areas. The painting modifications totaled \$23,144.⁰⁰. Motion to approve by Mr. Obergfell; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2009-23

Approving Change Order #3 to a contract with A. Hattersley & Sons for Bid Package #15 (Plumbing, Mechanical and Sheet Metal) for the Harrison Square Baseball Stadium project

Mr. Iddins stated that 20 stainless steel perforated covers were installed to exterior drains in trenches and storm drains in the outfield area and a gas line at the 3rd base entry was installed. Changes were also made to the suite level bar and lounge areas and rough-in for the ice machine in the visitor's training room. These additional items totaled \$16,634.⁰⁰. Motion to approve by Mr. Cox; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2009-24

Approving Change Order #2 to a contract with VFP for Bid Package #16 (Fire Protection) for the Harrison Square Baseball Stadium project

Mr. Iddins noted that because of changes made in some areas, additional fire protection was needed at the doors and in the South Bar, suite level, press box and offices. The additional work amounted to \$9,247.⁰⁰. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2009-25

Approving Change Order #6 to a contract with L.A. Electric for Bid Package #17 (electrical) for the Harrison Square Baseball Stadium project

Mr. Iddins explained that several changes in areas of the stadium required additional electrical work at a cost of 97,732.⁰⁰. These changes were for rewiring concession carts, the ice machine, fire alarms, the scoreboard panel and backlit signs on the concourse. A discussion of the advertising signs at the Stadium ensued. Motion to approve by Mr. Obergfell; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2009-26

Approving Change Order #3 to a contract with Weigand Construction Company for the Harrison Square project

Mr. Iddins noted that Weigand Construction has paid for engineering and design components as Construction Manager and this Change Order in the amount of 70,500.⁰⁰ covers those costs. This Change Order modifies the Allowance portion of the contract. Motion to approve by Mr. Cox; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2009-27

Approving an Amendment to the Stadium Management Agreement with Hardball Capital LLC

Mr. Wernet stated that as part of the Stadium License Agreement, a 4-member Advisory Board was established. This resolution adds two members to that Board – a designee of Parkview Health Systems, as naming rights sponsor, and the President of the Fort Wayne Redevelopment Commission (or a Commission designee). The Redevelopment Commission member will act as the Chairman of the Advisory Board. Parkview will remain on the Board as long as that body is the Naming Rights sponsor. Motion to approve by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

OTHER BUSINESS

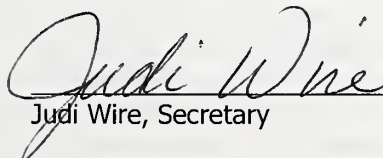
- **Alcohol/Tobacco Commission Permit** – Mr. Wernet noted that the last week the Permit for the Ball Stadium was approved by the local board and it will be before the State Board tomorrow. The Redevelopment Commission will be sending an invoice to Hardball Capital for \$5,000.⁰⁰ to cover the cost of the license and related attorney fees. There is a statutory provision for a city or municipality to obtain a license that does not have to be bought on the open market. That license fee applies to stadium or arenas. The City will own the license. This License also provides more leeway on how beverages are served. A discussion of serving lines ensued.
- **Annual Report** – Mr. Leatherman noted that at the January meeting it was noted that staff was working on a draft of the Report and was presented in draft form to the Redevelopment Commission in February. The final Report was distributed to the Commissioners in March. A discussion of the organization of the Community Development Division ensued. Motion to adopt the 2008 Redevelopment Commission Annual Report by Mr. Cox; seconded by Ms. Wire. Motion carried unanimously without further discussion.
- **TIF Budgeting** – Mr. Leatherman distributed a spreadsheet that delineated TIF projections for revenue and project expenditures from the Baer Field Economic Development Area and the Jefferson/Illinois Economic Development Area. Over the course of the last four years, the Redevelopment Commission has been paying for improvements related to the Ardmore intersection project and the Ardmore widening project in an amount of approximately \$3.5 million to date which includes engineering, real estate acquisition, design, etc costs. Commitments for Ardmore from the Redevelopment Commission could be about \$8.0 million for both projects. This is budgetary number only as no contracts have been bid. The intersection is complete and came in slightly under budget at \$1.7 million. The projected costs for Ardmore widening are approximately \$6.3 million (projected costs). The original

plan was to pay for these costs from Illinois/Jefferson, Centennial and Baer Field TIF revenues. The project has been delayed to wait for a \$30 million CEDIT Bond, and because of the current financial environment. An investigation took place that looked at funds that might be available from the Stimulus Package for construction-ready projects. It appears that because of the delay, and the estimated TIF revenues available in the districts, our revenues will be higher in 2009 because of the cap on residential properties which forces commercial/industrial properties to go higher. Because the Redevelopment Commission only collects TIF on commercial/industrial properties, staff is projecting an increase in the available TIF allocation. The bottom line numbers for our TIF and our ability to pay for Ardmore and the water line project is that the Commission can make those payments without using any Illinois/Jefferson TIF funds, using only Baer Field and Centennial allocations. Additionally, the CEDIT bond has targeted at least \$1 million for Ardmore; the Redevelopment Commission's commitment is now approximately \$7 million. Even paying for the entire project from those TIF areas, we feel that still feel there is adequate funding sources available. Centennial will not be a major source of funding for the Ardmore improvements. Of course, debt service is an on-going commitment as well as \$200,000.⁰⁰ per year for five years to pay for the former Dimension Ford property. The City Utilities Infrastructure Reimbursement is a number that reflect our previously adopted agreement for with the Wet Utilities for sewer and water work that the Board of Public Works is putting in the ground now. \$500,000.⁰⁰ has been set aside for the Harrison Square road resurfacing project that was adopted at the last meeting. This does not include what the Commission must spend for the demolition of the Dimension Ford property. There was an escrow account set up for the Harrison Square Parking Deck to allow our property manager to quickly address any maintenance issues. Now funds from Illinois/Jefferson are being used for expenses for the Parking Deck. When generated, parking revenue from the Garage will be used to reimburse the Illinois/Jefferson TIF fund. These projections of TIF revenues are conservative. Staff will enforce a not to exceed amount on City Utilities projects and would indicate the Redevelopment Commission's maximum contribution on projectgs. A discussion of Parking Rates ensued. Mr. Leatherman stated that Tek Ventures has approached him regarding the former Dimension Ford building to be used as a location for them. Because the property is in a floodway, the property was not available. They have been contracting people in an effort to change the Administration's position on their occupancy of the building. During the last flood event, the building was not under water because it has been built up, but the surrounding land was flooded. Because of the floodway designation, any renovations to the building to make it flood-proof would be very expensive and probably outside the funding capabilities of Tek Ventures. The Administration's position at this time is that the land is not available.

- **Club Soda** – Judi Wire asked that ~~the~~ some consideration be given to the determining if a historic designation would benefit the City or the occupants of Club Soda. Greg will have someone in Historic Preservation look into the matter and report to the Redevelopment Commission at the next Regular Meeting.

ADJOURNMENT – Motion to adjourn by Mr. Cox; seconded by Ms. Wire. Meeting adjourned at 5:10 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION


Judi Wire, Secretary

Adopted: 20 April 2009

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
20 April, 2009

TIME: 4:00 p.m.

PLACE: County Commissioner's Courtroom, 200 City County Building,
One East Main Street, Fort Wayne Indiana

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:02 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
Gary Lyman, Brownfield Manager
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet, Carson Boxberger

OTHERS PRESENT: None

ALLOWANCE OF CLAIMS: Motion to allow Claims of March 2009 by Mr. McElhoe; seconded
by Ms. Wire. Motion approved unanimously

APPROVAL OF MINUTES: Motion to approve Minutes of 16 March 2009 Regular Meeting by
Mr. Obergfell; seconded by Ms. Wire. Motion carried without
further discussion.

NEW BUSINESS

Historic Preservation Overview and Club Soda – Don Orban – Mr. Orban stated that to receive a local historic designation under Section 151 of City Code is a fairly simple process. The building does not have to be nationally or regionally important. The Historic Preservation Board looks at buildings that might be landmarks. The Club Soda building is a well-known landmark in Fort Wayne. It started out as a two-story junk warehouse; in the 1920's a third story was added. It is the only building left in that block. When Club Soda took possession of the building, they were careful to retain the historic character of the outside. It is a unique building. The rehab and the additions on the west side did not destroy the character of the building and its historic character is still identifiable. If the building were historically designated, the recent changes made by Club Soda would probably look very much like they do now. The local designation's intent is not to freeze any structure at a particular point in time, changes are expected. The intent is that the features that make that building's character significant are kept intact. Very few structures remain as they were when built. The process for obtaining a local historic designation includes a simple form. When the application is received, the Historic Preservation Commission schedules a review and there is a public notice published. The Commission makes a recommendation if the building qualifies. If the Commission recommends the application, it is then sent to City Council who makes the final designation. There is no jurisdiction over the usage of the property, but if a decision was made by the owner to make some change that were out of character with the building, the owner would not be allowed to do that. This designation has no effect on adjacent property. There is no jurisdiction on interior space; the Commission only reviews changes that are subject to public view. The Historical Designation is typically asked for by the owner because they made a major investment in the property exterior and want to protect that investment. The Redevelopment Commission now owns the building and any changes planned for the building would have to go before this Commission. If the property were historically designated any design change would have to be reviewed by the Historical Preservation Commission also. An isolated building, such as Club Soda, probably would not see an increase in property value because of the designation. A discussion of the process for making exterior changes and guidelines ensued. Historically designating the Club Soda building would not be detrimental and could be beneficial. The consensus of the Redevelopment Commission was that renovations to the building should be brought before the Commission, but at this time historic designation, without the tenant asking for it, seems unwarranted. The Commission would not want to strap future owners with this designation. Mr. Orban noted that if the Redevelopment Commission was to consider the designation and there is a long term lease in place, he would suggest that the tenants call his office because many misconceptions concerning historic designations exist.

Resolution 2009-28

Rejecting the bid submitted in response to a Notice of Public Offering of Real Estate – Superior Street Row Mixed-use residential/retail project

Mr. Leatherman explained that the legal process set by State Statute allowed the Redevelopment Commission to issue a Request for Proposal. The Request for Proposal had an attached appraised disposal value for the property of \$65,000.⁰⁰. The proposal asked for a certain amount of investment in exchange for selling the land. One bid was received from Hartland Development on March 30, 2009, wherein, instead of paying the appraised value of the real estate, they offered \$1.⁰⁰ for the property. Legally, they were not responsive because they did agree to pay the appraised value set forth in the offering statement. Staff is asking the Redevelopment Commission to vote to reject the bid as non-responsive. According to Statute, the Commission must wait 30 days. If no other bidder comes forward with the investment asked for in the RFP, the Commission would be free to negotiate the price of the land. The price of the land could be less than the appraised value following negotiations. The intent of Staff is not change the project, only to change the selling price of the land. This process has been followed with projects such as Adams Township Industrial Area and Summit Park. Mr. Wernet stated there is a policy to follow if several bidders submitted bids to develop the property. The main criteria would be the development plan and its compatibility with the RFP; the price any bidder would pay for the land is secondary to the proposed development. The Redevelopment Commission would be asked to approve the final Development Agreement which would contemplate the transfer of the property and the obligations under the Agreement to make the improvements. The land being sold is the approximately 8,000 square foot footprint of the building alone. Motion to approve by Ms. Wire; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

Resolution 2009-29

Approving a Brownfield Grant for Summit Recycling and Transfer

Mr. Lyman stated that a local developer purchased a property formerly owned by Fort Wayne Foundry, where brass and aluminum castings had been made. Summit Recycling and Transfer has completed Phase I and Phase II Environmental Assessments. The Phase II results indicated potential contamination of the soil resulting from disposal of sands. They want to take that one step further to determine if the sands are really contaminated, how much there is and how to dispose of it. They are requesting Brownfield Assistance program grant monies to do the investigation that would be 80% of the costs up to \$20,000.⁰⁰ and if remediation is necessary to approve an additional \$30,000.⁰⁰ to address that issue. Summit Recycling and Transfer bought the building on Pontiac Street for \$350,000.⁰⁰. They are assuming the major contaminate on the site is lead. There has been one boring that indicated lead contamination, so several more borings are indicated. The company intends to employ 21 people in 2009, 25 in 2010 and have 31 employees in 2011. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2009-30

Approving Change Order #1 to a contract with Williams Electronics LLC

Mr. Leatherman stated that on January 20 2009, there was a change order that reduced the W. A. Sheets & Sons contract by \$136,021.⁰⁰ from the Harrison Square Parking deck contract for the security system that this resolution asks authorization to spend. Lincoln National had some specific demands for the security of the Parking Deck so Staff worked with them to satisfy their needs. The result of those discussions is that now that money will be spent for a security system installed by Williams Electronics in the amount of \$58,964.⁴⁵. The money was always in the budget; it was deducted from Sheets' contract and now is being added back to the Williams contract. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

OTHER BUSINESS

Resolution 2009-31

Approving Change Order #4 to a contract with Nationwide Construction Group for Bid Package #7 (Miscellaneous Metals, Handrails and Fencing) for the Harrison Square Baseball Stadium project

Mr. Lindsay noted that this resolution represents all the last-minute detail modifications and changes for the final building handrails and fencing elements for Parkview Field in the Nationwide Contract. Mr. Lindsay denoted all the details of the Change Order. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2009-32

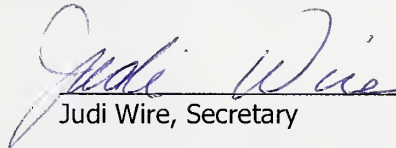
Approving Change Order #3 to a contract with W. A. Sheets & Sons, Inc. for the Harrison Square Parking Deck

This resolution will move savings realized from the Parking Garage to the contingency fund so it can be used for other items in the final stages of the Parking Garage construction. The net result of this Change Order is that \$60,000.⁰⁰ will be moved to Sheets' contract from funds set aside in the contingency fund. These items to be completed include additional caulking, sealant for concrete on the parking deck, electrical and cable adjustments and some maintenance fencing area that needed to be cordoned off. Motion to approve by Mr. McElhoe; seconded by Mr. Cox. Motion carried unanimously without further discussion.

- **Adams Township Industrial Area** – Mr. Leatherman noted that in 2007 there was a discussion about the Adams Township Industrial Area being made available for a potential project managed by Transpoint. Transpoint is attempting to introduce an intermodal facility to this area that takes shipping containers from the Far East to Chicago and then into Allen County where freight will be transferred to storage or delivery vehicles for final delivery and then returned with agricultural and other products. It has been a long project with many moving parts. There has been a significant amount of progress made by Transpoint in a number of areas, not the least of which was securing a reliable pathway to and through Chicago, then to Indiana. With that problem solved, the next challenge was putting their final financing together. The State of Indiana supports the project. There have been meetings with a wide range of people including NIRRC, utilities, Allen County Government and the City. All of these entities have stepped up to make this a significant boost for the entire area with investment and jobs. The industrial park is now zoned IN2, which does not allow for outside storage. Mr. Leatherman has conferred with Kim Bowman, Executive Director of the Department of Planning Services, and she has asked that the Redevelopment Commission make an authorization to staff to begin the process to rezone the area from IN2 to IN3 for Lot 1, Lot 2 and the Common Area to the north; this is not the entire park. The area is approximately 50 acres. The land will be sold to Transpoint. They have indicated their commitment to the complete an Option to Purchase, specifying the amount of land and sale price. Any effort to request rezoning should be tied to their Good Faith negotiating with the Redevelopment Commission. The consensus of the government bodies involved is that the land should only be rezoned after everything is in place. Mr. Wernet stated that any uses of the land that would acceptable in IN3, but not acceptable for this development, would be restricted by Covenants. Mr. Wernet also stated that there is a Covenant between the City of New Haven and ChemWaste that already exists that puts a limit on hazardous materials that can be on site. Those covenants would be transferred to the Transpoint property. The current negotiations stipulate a selling price of \$2,000.⁰⁰ per acre. Motion to apply for a zoning change request from IN2 to IN3 to allow for outdoor storage by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

ADJOURNMENT – Motion to adjourn by Mr. McElhoe; seconded by Mr. Cox. Meeting adjourned at 5:03 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION


Judi Wire, Secretary

Adopted: 18 May 2009

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
15 June, 2009

TIME: 4:00 p.m.

PLACE: Omni Room, 2nd floor, City County Building, One East Main Street, Fort Wayne Indiana

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:01 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
Gary Lyman, Brownfield Manager
John Wallace, Assistant Redevelopment Director

COUNSEL PRESENT: John Wernet, Carson Boxberger

OTHERS PRESENT: Jim Iddins, Weigand Construction
Jim Irwin, Barry Real Estate

ALLOWANCE OF CLAIMS: Motion to allow Claims of April 2009 by Mr. McElhoe; seconded by Ms. Wire. Motion approved unanimously

APPROVAL OF MINUTES: Motion to approve Minutes of 18 May 2009 Regular Meeting by Mr. Cox; seconded by Mr. McElhoe. Motion carried without further discussion.

NEW BUSINESS

Resolution 2009-36

Approving Change Order #4 to a contract with Fort Wayne Roofing Corporation for the Harrison Square (Parkview Field) Stadium

Mr. Lindsay noted that this resolution is a net deduction of \$3,855.⁰⁰ to the contract for miscellaneous additions and deductions representing closeout work done at the end of the construction. Mr. Iddins noted that there will be several more change orders for various contractors that will close out their accounts and zero out allowances. Motion to approve by Mr. McElhoe; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2009-37

Approving the collection of Tax Increment for 2009 pay 2010 Tax Year from various Tax Allocation Areas in the City of Fort Wayne

Mr. Lindsay stated that statutorily each year the Redevelopment Commission's tax allocation requests must be turned into the County Auditor by July 15. There are no significant changes from 2008 to 2009, including debt service. The letter of transmittal will contain and elaborate on upcoming incremental financing changes or charges that will be dropping off. Next year, staff's intention will be to engage the West Highway 30 Economic Development Area because of the anticipated Tax Increment generated by the SIRVA project. Also included will be the East Illinois Road Amendment I, more commonly known as Orchard Crossing, at Thomas and Illinois Road. The Commission approved a Resolution to complete infrastructure improvements in that area and there should be some tax increment generated in 2010 to help finance those. Mr. Cox asked how many tax increment areas are dormant (or not engaged). Mr. Lindsay will update the spreadsheet completed last year that outlined all the TIF Areas. Mr. Leatherman explained that proposed uses for TIF funds are mainly generated from other City Departments but a project could be generated from any one of the Commissioners who see a need that should be addressed. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2009-38

Approving an expense (concrete sealant) for the Harrison Square Parking Garage

Mr. Lyman stated that the Harrison Square garage is now complete. Additional concrete sealant needs to be applied to ensure the long term maintenance goals for the structure. The garage is approximately 270,000 square feet and typically should be resealed every five years. A discussion of

maintenance in the Midtowne Crossing Parking Garage ensued. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2009-39

Approving the Parkview Field Naming Rights Agreement

Mr. Wernet explained that the Redevelopment Commission has a Letter of Intent from Parkview Health Systems. There have been no changes in the Agreement since the Letter of Intent was signed. Mr. Cox asked about renegotiating the Agreement because of the Barry's default on the mixed-use development. Mr. Wernet noted that Parkview doesn't have any interest in what amount goes where and approving this Agreement would have no effect on future negotiations with Hardball/Barry Real Estate. Mr. Leatherman stated that Parkview has not paid any money to either the Redevelopment Commission or Hardball because this Agreement has not been signed. Mr. Wernet stated that the Naming Rights Agreement does not affect the nature or existence of the default with Barry Real Estate. Mr. Cox asked that using the money from the Naming Rights be part of any negotiations with Hardball concerning the default on the Condo/Retail Agreement. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2009-40

Approving a 4th Amendment to the Hotel Development Agreement with White Lodging Services Corporation

Mr. Wernet noted that this Amendment is with FW Convention Hotel, Inc. (a single purpose entity created and owned by White Lodging to construct the hotel). This 4th Amendment extends the completion milestone because of White's inability to find timely financing for the hotel. The new date for Substantial Completion will be August 15, 2010 and the hotel will be in operation by September 15, 2010. Construction has begun. There are some off-site improvements costing approximately \$180,000.⁰⁰ that are memorialized in this Agreement – they would also have been completed under the previous Amendments. The timetable for receiving tax increment money will be dependant upon what is in place on March 1, 2010 and will set the benchmark going forward. On March 1, 2011 a full assessment should be in place. A discussion of 2-tier tax abatements ensued. Mr. Obergfell asked that Staff make a concerted effort to maintain as much TIF in the Illinois/Jefferson Economic Development Area for a portion of the debt service payments. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2009-41

Approving Change Order Number 4 to a contract with Hamilton Hunter Builders, Inc. for Bid Package #20 (Streetscape, Entry Plaza and Public Park) for the Harrison Square Baseball Stadium project

Mr. Lindsay stated that this resolution asks for approval for a \$6,777.⁰⁰ increase representing landscaping finish work immediately prior to Opening Day. Motion to approve by Mr. McElhoe; seconded by Mr. Cox. Motion carried unanimously without further discussion.

- **Huguenard Road** - Mr. Leatherman noted that next month there will be a Resolution, requested by County Economic Development, to do road improvements to Cook Road. Before those funds are turned over the City because of the Annexation, it will be up to the Redevelopment Commission to approve previously planned bridge improvements over Spy Run Creek. This area is approximately .5 miles east of the Huguenard Economic Development Area. After the project is complete, Fort Wayne Redevelopment Commission can seek other projects for this Economic Development Area or return the TIF balance to the various taxing units through the County Auditor.
- **Harrison Square** – Redevelopment Commission and City Council worked on a document to send to Barry Real Estate and Hardball Capital relative to the notice of failure to perform under the Development Agreements. Barry and Hardball have received those letters and are actively putting together a response. We anticipate a response in two weeks that will address their failure to complete the project by the June 1, 2009.
- **Hotel Contractors** – There have been numerous communications from the BCA (Building Contractors' Association) regarding White Lodging's awarding contracts in conjunction with their construction manager, Shiel Sexton. White's commitment to the City and Redevelopment Commission states that they will provide proof of good faith effort to award as many contracts to local contractors as local contractors are competitive. The commitment is not a set ratio, set number of contracts or set amount, but they should be biased toward local contractors as much as it competitively makes sense. There have been conversations between White Lodging, the Mayor and Redevelopment Commission staff. Last week there were thirteen contracts awarded, seven of them were to local contractors. The electrical and plumbing went to Indiana firms, but they were not contractors from Allen County. Shiel Sexton stated that there were significant differences in the bids between the local firms and the firms that received the contracts. They also indicated that if there was a small difference in the bid amounts, they would award the contract to the local company. The contract that generated the inquiries was significantly higher than the lowest bid. White lodging has no "preferred" vendors. When all the contracts are awarded, White lodging believes that 60% to 65% of the contracts will be awarded to local firms. There will be a report to the

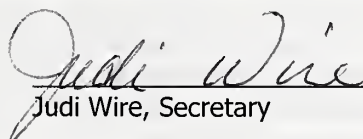
Redevelopment Commission and the City that delineates all the contractors hired. A discussion of the contracts in public/private partnerships ensued.

City Council Overview –

- Mr. Leatherman presented documentation regarding the progress being made on the Embassy Theatre enhancements and interior improvements.
- He also noted that Hardball exceeded the \$5.6 million commitment made to the Stadium project. There is full documentation concerning that investment that has been received by Redevelopment Commission staff and the Controller's Office. The investment is fully in dollars and does not contain in-kind contributions.
- Mr. Leatherman noted that there is a list dated July 2007 from the City's Harrison Square portion of the website that lays out the commitments to City Council regarding the sources and uses of funds over the course of not only the project but over the 25 year bond period. There are infrastructure expenses yet to come in conjunction with the hotel project. The cost of the project is significantly less than was anticipated in July 2007 and has met the commitments in a financially responsible way.
- The Hotel has been started and for several reasons the condo/retail development has not yet happened. Barry Real Estate continues to work very hard to secure the retail tenants they need in order to go forward with bank financing.
- During the City Council presentation, Mr. Leatherman stated that he will take some time to explain the challenges faced on site, including groundwater issues.
- Midway through the baseball season, attendance is up almost 1,000 people a game.
- Lincoln National and its employees are extraordinarily pleased with the performance of the garage. There have been no problems with parking at the games and no problems with getting to and out of the stadium on the street arterials.
- There have been observations made by the merchants located downtown, mainly bars and restaurants, who believe that their businesses have experienced an increase in patrons since the baseball season started. Mr. Lindsay stated that the Downtown Improvement District is putting together some methodology to try to define the positive growth from Stadium activities.
- Mr. Guerin stated that patience is needed to insure the ongoing growth of this project. He also stated that he believes the Stadium has set the path for future development of the Indiana Hotel. Mr. Leatherman noted that the Embassy was stifled in developing the Indiana Hotel's upper floors because they had no reasonable, legal access by way of stairs and elevators. The legal access that will come with the renovations will unburden them in their pursuit to develop the upper floors of the Indiana Hotel.

ADJOURNMENT – Motion to adjourn by Ms. Wire; seconded by Mr. Cox. Meeting adjourned at 4:50 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION


Judi Wire, Secretary

Adopted: 20 July 2009

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
20 July, 2009

TIME: 4:00 p.m.

PLACE: County Commissioner's Courtroom, Room 200, City County Building One East Main Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:00 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
Gary Lyman, Brownfield Manager
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet, Carson Boxberger

OTHERS PRESENT: Elissa McGauley, Fort Wayne Economic Development

ALLOWANCE OF CLAIMS: Motion to allow Claims of May 2009 by Mr. McElhoe; seconded by Mr. Obergfell. Motion approved unanimously

APPROVAL OF MINUTES: Motion to approve Minutes of 15 June 2009 Regular Meeting by Ms. Wire; seconded by Mr. Cox. Motion carried without further discussion.

NEW BUSINESS

All Change Orders were discussed and then a vote was taken after discussion.

Resolution 2009-42

Approving Change Order #1 to a contract with Gerig Ottenweller Contracting LLC for the Harrison Square project

Mr. Lindsay explained that the following eight Change Orders will close out allowances or will add compensation for minor work done at the end of the Stadium project. The Change Orders total this month will deduct approximately \$63,700.⁰⁰ from the project total. There are other Change Orders that will be presented at the next meeting. This Change Order for Gerig Ottenweller represents the close out of approximately \$13,600.⁰⁰ that will be put back into the project budget from their allowances for the pump station.

Resolution 2009-43

Approving Change Order #6 to a contract with Hagerman Construction Corporation for the Harrison Square Baseball Stadium concrete package

Mr. Lindsay noted that this Change Order is also a credit in the amount of \$109,264.⁰². Most of the work was for the left field structural deck that was not constructed. Mr. Obergfell asked if this structure would have to be built after the residential component has been completed. Mr. Lindsay stated that was his understanding if the design remains the same.

Resolution 2009-44

Approving Change Order #3 to a contract with Hagerman Construction Corporation for the Harrison Square Baseball Stadium masonry package

Mr. Lindsay stated the Change Order adds \$28,670.⁰⁰ mainly for the wall at the north side of the stadium near Jefferson Blvd and the field maintenance shop.

Resolution 2009-45

Approving Change Order #2 (Metal Studs and Drywall) for the Harrison Square Baseball Stadium project

Mr. Lindsay stated that this Change Order adds \$1,146.⁰⁰ for minor work done at the end of the project.

Resolution 2009-46

Approving Change Order #3 to a contract with Tile Interiors for Bid Package #12 (Flooring/Tile) for the Harrison Square Baseball Stadium project

Mr. Lindsay stated that this Change Order will add \$7,678.⁰⁰ to the contract for Tile and Carpet in the restrooms, corridors and team offices. There is some overtime allotted for work that had to be completed before Opening Day. Mr. Leatherman noted that there were several challenges regarding sink and counter heights that necessitated changes before any activities could take place at the Stadium. Mr. Lindsay stated that the sequencing of work at the end of the project would have necessitated some changes to the schedule.

Resolution 2009-47

Approving Change Order Number 4 to a contract with A. Hattersley & Sons for Bid Package #15 (Plumbing, Mechanical and Sheet Metal) for the Harrison Square Baseball Stadium project

Mr. Lindsay stated that this addition in the amount of \$22,314.⁰⁰ was for work elements including dryer vents and lint traps, and changes in the kitchen hood.

Resolution 2009-48

Approving Change Order Number 5 to a contract with Nationwide Construction Group for Bid Package #7 (Miscellaneous Metals, Handrails and Fencing) for the Harrison Square Baseball Stadium project

Mr. Lindsay stated that the addition of \$2,010.³³ is for meeting OSHA requirements and a change in fencing for the generator area.

Resolution 2009-49

Approving Change Order Number 2 to a contract with Hall Aluminum Products, Inc. for Bid Package #10 (Glass and Glazing) for the Harrison Square Baseball Stadium project

Mr. Lindsay noted that this Change Order related to the glass and glazing and will deduct \$2,962.⁰⁰ from the project budget. This closes Hall's allowances and adds a deduct for a temporary enclosure at 1st base.

Mr. Obergfell asked what the process would be for building the left field structural deck and Mr. Wernet stated that would be considered a new project because of contracts for the ball stadium will be closed. The work would be bid according to the normal process. At that point a determination would have to be made about whose project it is. Mr. Leatherman stated that if the project was determined to belong to the City, the source of funding would be the same as it is now, probably a portion of the Jefferson/Illinois TIF revenues that have not been set aside for paying debt service.

Mr. Guerin read the titles of Resolutions 2009-42 through 2009-49. Motion to approve by Ms. Wire to accept the Resolutions as read into the record; seconded by Mr. Obergfell. Motion carried without further discussion.

Resolution 2009-50

Approving a Brownfield Grant for Saint Paul's Lutheran Church

Mr. Lyman stated that St. Paul's Lutheran Church, located downtown, is requesting Brownfield funds to complete a Phase II investigation of the former US Healthcare Center and the parking lot at the southwest corner of Barr and Jefferson. A Phase I has been conducted and based on those findings it was determined that the property where the Healthcare Center sat had a gas station on it. The initial request is for \$6,200.⁰⁰ to conduct the testing. Mr. Lyman took the total to \$20,000.⁰⁰ because often these sites need additional sampling. The building will be left in place and remodeled into office space with a parking lot. Motion to approve by Ms. Wire; seconded by Mr. McElhoe. Motion carried without further discussion.

OTHER BUSINESS

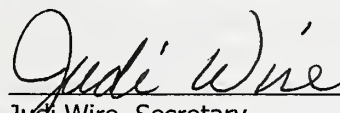
- **SIRVA** - Mr. Wernet noted that previously the Redevelopment Commission approved a LEDGE and Lease Agreement with SIRVA. Eric Baker was present representing the Company. At that time there were employment markers and criteria for those Agreements. In the first year, the employment criteria were 460 employees. During the process with the State of Indiana, it was determined that approximately 60 of those employees were part-time. The new criteria then are 500 at the end of 2009, 600 at the end of 2010 and 700 at the end of 2011. Even though the previous resolution allowed minor changes, staff felt that this was not necessarily a minor change and should be brought back to the Commission. The change does not warrant a new resolution but it is appropriate to enter into a motion to modify that Agreement to state the retention of 400 full time jobs at the end of 2008, etc. Eric Baker reported to Elissa McGauley that SIRVA employed 430 persons at the end of 2008, which is above their minimum and there were 445 at the end of June 2009. Ms. McGauley noted that the State incentivizes only full-time jobs, so a thorough investigation of employee classification was done by the State. Mr. Wernet explained that SIRVA has made a substantial investment of approximately \$3 million upgrading the servers and networks to accommodate the new operations. They have already reserved the Grand Wayne Center and the Hilton for their Annual Operations Conference in 2010. That conference will bring more than 200 people to Fort Wayne. Motion to approve the modification to the number of jobs to

reflect the full time jobs by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

- **Allen County Redevelopment Commission - Cook Road Bridge** – Mr. Leatherman reminded the Commissioners of the discussion at the June meeting regarding the needed bridge work on Cook Road. The TIF District was established by the County but has since been annexed into the City. In the County-adopted plan, there was an item to improve a bridge over Spy Run Creek on Cook Road. It is part of the County's plan and the TIF area generated revenue to make those improvements. The County Redevelopment Commission has asked for a letter of support their use of those TIF funds to improve the bridge. From a legal standpoint, it is appropriate that those funds be used for this purpose. The revenue is there to fund the cost. Staff would like permission to draft a letter to the Allen County Redevelopment Commission to approve the project on their timetable with the funds the County has set aside. Mr. Lindsay noted that this approval mirrors the Maysville/Stellhorn Economic Development Area process where the County ceded jurisdiction to allow the city to begin roadway improvements about six months before the area was annexed. If the City would want to collect any increment from the District, the Economic Development Area would have to be recreated. At this time, it seems that the Economic Development Area has fulfilled its requirements. The recommendation will be to return any left over TIF money to the County when this project is completed. Motion for Staff to write a letter to the Allen County Redevelopment Commission stating the Fort Wayne Redevelopment Commission is in favor of completing the bridge work with County TIF Funds by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.
- **Dimension Ford** – Mr. Leatherman stated that a small amount of good soil was received from the Parkview North's construction site at no cost. The Parks Department is evaluating its acceptability. The environmental cleanup is set to begin on July 27. In August there might be an offering draft that would make the smaller building available for sale. Mr. Leatherman has received several inquiries as to the availability of that property. There would be restrictions and limits that will not allow some uses of the property. All the asphalt and stone has been removed from the site and IDEM will fund the environmental cleanup. There has been no movement on creating a wetland there. There have been conversations within the Parks Department regarding the placement of "spot" wet wetlands vs. a large wetland.
- **Condo/Retail** – Next month there might be some discussion regarding the development. The current schedule has the Commission meeting on August 17; there might be some need for flexibility on the meeting date. Mr. Guerin stated that he would not be available on August 24.

ADJOURNMENT – Motion to adjourn by Mr. Obergfell; seconded by Mr. Cox. Meeting adjourned at 4:35 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

Adopted: 25 August 2009

FORT WAYNE REDEVELOPMENT COMMISSION
Special Meeting
25 August, 2009

TIME: 4:00 p.m.

PLACE: 7th floor Conference Room, City County Building One East Main Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:00 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Steve Corona
Casey Cox
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet, Carson Boxberger

OTHERS PRESENT: None

ALLOWANCE OF CLAIMS: Motion to allow Claims of June 2009 by Mr. McElhoe; seconded by Mr. Cox. Motion approved unanimously

APPROVAL OF MINUTES: Motion to approve Minutes of 20 July 2009 Regular Meeting by Mr. Cox; seconded by Mr. McElhoe. Motion carried without further discussion.

NEW BUSINESS

Resolution 2009-51

Approving a Brownfield Grant for the required quarterly sampling at the former HubCap Express

Mr. Leatherman explained that the former HubCap Express site was part of the Headwaters Park acquisition. When the Park was under construction some soil was removed from that site and the rest of the soil was bioremediated. After several years, sampling was discontinued. In the process of updating their files, IDEM discovered that there had not been proper documentation of closure for the site per their records. Because there were no records being held by the Redevelopment Department, additional sampling has been required. There are funds available to complete the process. Staff believes that other impurities might be found. There will be bridge work done for the Martin Luther King Jr. Bridge renovation on Clinton Street and that roadwork analysis can be incorporated into this site. Recently there were low levels of contamination found, but the contamination is not moving. Samples on the west side of Clinton showed some contamination; samples on the east side showed none. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried without further discussion.

Resolution 2009-52

Approving a contract for professional appraisal services

Mr. Lindsay noted that these appraisal services would be done by Verne V. Mitchell and Misner & Associates. They would do market value and highest and best use appraisals for the approximate 3-acre site that is the location of the metal building on the west side of the former Dimension Ford Building. Because of the slow economy, fees are higher than normal since more analysis must be done regarding fair appropriate comparables. There is more analytical work that must be done to establish viable comparables for this property. Hopefully the highest and best use will be something other than a storage facility, used car lot or vehicle repair facility. After the appraisals are received and analyzed, Staff will make a recommendation to the Commission that the average of the two appraisals be used as the disposition value of the real estate pursuant to a Public Offering. There will be Deed Restrictions imposed on this property before the sale. Mr. Leatherman noted that the building is in a floodway and can only be improved to 50% of the appraised value. The property boundary is defined by the roadway, which is a permanent easement. If the property is not sold, the road could be moved to further define the property and to still allow traffic to the bowling alley. Motion to approve by Ms. Wire; seconded by Mr. Cox. Motion carried without further discussion.

Resolution 2009-53

Approving Change Order #3 to a contract with Schenkel & Sons for Bid Package \$8 (General Construction) for the Harrison Square Baseball Stadium project

Schenkel & Sons was the General Construction contractor for the stadium project. The 39,305.³⁴ Change Order includes all of the end of construction items prior to the April opening. This Change Order also closes their Allowance. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried without further discussion.

Resolution 2009-54

Approving the conveyance of Real Estate located in the Renaissance Pointe Urban Renewal Area

Mr. Leatherman stated that conveyance of this property will signal the beginning of construction for the new YMCA that will be located in the Hanna Creighton neighborhood. All of Parcel B will be transferred to the YMCA, except 2.5 acres on the south. The Community Development Division has negotiated a Development Agreement with the YMCA. This Agreement, drafted by the City Attorney, will release the Redevelopment Commission from the responsibility of enforcing the Development Agreement because the Agreement is between the City of Fort Wayne and the YMCA. It releases the Redevelopment Commission from any obligations for the development. There are no current plans for the old structures either at the Old Fort YMCA or the Southeast YMCA. Motion to approve by Mr. Cox; seconded by Ms. Wire. Motion carried without further discussion.

Resolution 2009-55

Approving funds for the completion of the Harrison Square Parking Garage

Mr. Leatherman noted that some of the delineated items were originally planned but staff wanted to make sure that incurring those expenses was necessary. The bollards at the condensing units seemed to be out of the way of traffic, but staff discovered they were necessary to keep the condensing units from being damaged by an inattentively steered vehicle. To maintain the garage through the winter, several items need to be purchased for that purpose. All of the items in the Resolution need to be completed or purchased before the onset of Winter. A discussion of the water pooling and drainage problems in the garage ensued. After a discussion concerning the purchase of maintenance tools ensued, it was stated that all City garages are maintained with tools purchased by the City and these purchases and the maintenance of the tools is the norm. Motion to approve by Ms. Wire; seconded by Mr. McElhoe. Motion carried without further discussion.

OTHER BUSINESS

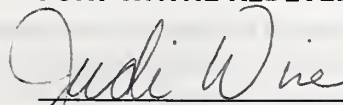
- **Landscaping near proposed Harrison Development** – Mr. Leatherman stated that it was recommended to Staff that a fencing buffer be installed near the intended location of the Harrison Development. Grass is an extremely costly short-term solution to beautifying that area. At this time, the site is all gravel. There is no topsoil on the site on which to grow grass and adding topsoil will change the topography of a site and it doesn't need any changes. Without irrigation or a means to water the grass, it would die. Staff solicited the costs of banners for the fencing from several reputable companies, who have submitted examples of the product they would use. The fences are 5 feet high, so a 4 foot high banner would be appropriate. When the banner supplier began to install the product, Staff noticed that the material was different than what was ordered – you could see completely through it, nothing blocked the site. The new banner will be printed with a rendition of Parkview Field, an All-America City logo, the City's website, the TinCaps website and the website for the Harrison development. It will look nice when it is installed. Mr. Obergfell suggested that our partners should share in the cost of the banner. Mr. Cox also suggested that our partners be contacted to share the cost. Mr. Leatherman stated that he has been contacted by local developers who inquired about alternatives to the previously stated proposal for the site. Each of the four groups who have contacted the City has proposed a different scenario. Additionally, each of the groups has demonstrated a varying level of ability to produce a product. At this point, the City is not in a position to change the scope of the project, but is interested in learning about each developer's proposal. One of the local developers has, on their own, contacted Barry Real Estate regarding partnering with them in this endeavor. The City still owns the property and will be flexible about what might be developed there. There is an Agreement in place to sell the land at market value, but the document has not been executed and will not be until there is a start date for construction and the scope of the project can be agreed upon. It is not true that the City is thinking of dropping residential in favor of office space. The City would consider office space in that building, but would never consider allowing speculative office space. As long as there is first floor retail that is open past normal business hours and would bring people downtown in the evening, the City would consider allowing office space on an upper floor. Residential space is the preferred development and should be part of any mix, but consideration should be given to other development on the site. Mr. Wernet noted that letters will be sent requesting that proposals be submitted by September 18 containing a brief outline of concept, budget and possible financing mechanisms. Legal Counsel will wait until the responses are received before any decision is made about the default of Barry Real Estate. Mr. Wernet feels that after the proposals are received, the City will be in a better position to determine what remedies there are for the default. A discussion of what might be built on the site ensued. Mr. Leatherman noted that a common misconception is that Barry has control of the real estate and that the

City has no control over what goes on the site. This is not true. Barry continues to market the space but they are still struggling with financing. Jim Irwin has told Mr. Leatherman that Barry is committed to completing the project.

- **White Lodging/Shiel Sexton** – Of the 25 contracts awarded for the Courtyards by Marriot Hotel, 18 have gone to Allen County or Fort Wayne firms, 72% of the total. Other significant contracts have been awarded to Indiana Companies. Mr. Leatherman has been told that these large contracts will be purchasing their materials from local suppliers. When the contracts are all let, White Lodging will share a document with the Redevelopment Commission and the local media that shows that they have met their commitment to Common Council when they applied for tax abatement to use local contractors and suppliers.
- **Superior Street Row** – Staff has met several times with the Hartland Development Group. The Memorandum of Understanding states that the Redevelopment Commission is committed to providing them the land for the footprint of the building at a nominal amount in exchange for their commitment to build a \$4 million structure that incorporates a 4-story mixed-use building. The Administration has committed their best efforts in recommending to Common Council that they should consider granting a tax abatement. The Administration also has committed to using best efforts to fund infrastructure improvements including sidewalks, street trees and street lighting to accentuate the retail level. The things that the City could not help with included flooding issues, construction, permitting, DNR regulations and issues with the Planning Department. The MOU makes it clear that the Administration cannot help with any costs that might escalate because of planning issues. Parking would be provided in an easement fashion to facilitate the marketing of the building, whether for commercial or residential uses. Should the building be more difficult to build on because of floodway, the building could be constructed further to the east, closer to Club Soda. There were no commitments made to Phase II development because that would put a burden on Club Soda, Headwaters Park and employee parking. It is up to Hartland Development to get their financing in place, get their tenants in place and work through all the above issues. If they work through all those issues, the Administration will provide the land and easement parking at a nominal cost.
- **Halls Parking Lot** – Ms. Wire noted that a storm sewer that serves Superior Street, Halls Gas House, Three River's Apartments and probably the Wayne Township Trustee's Office is located on the recently-remediated site. The contractor who was doing the remediation work either crushed the sewer line or filled and sealed it. It appears that the City will run a new 36-inch storm drain toward the river. A decision has not been made as to who will pay for the repair.
- **Embassy Walkway** – Mr. Leatherman distributed pictures of the work being done at the Indiana Hotel/Embassy Theatre. The Embassy does not have a sprinkler system in most of the building. Because of the historic nature of the Indiana Hotel side of the walkway, the Fire Marshall would not allow fire doors to be built into the walkway as a fire exit. The walkway and third floor hallway need to be sprinkled. A quote from Weigand through the Embassy was received in the amount of \$30,000.⁰⁰ to sprinkle the third floor hallway and a bid of \$8,200.⁰⁰ to sprinkle the bridge across Harrison. The Embassy will now sprinkle the upper floors of the Indiana Hotel from their budget. The Redevelopment Commission will need to amend the Development Agreement with the Embassy to include paying for the sprinklers in the walkway and third floor hallway. Because the walkway will be sprinkled, there is no longer a need for outside emergency stairways. An Emergency Entrance/Exit in the Hotel will switch on immediately if there is a fire in the Embassy Theatre/Indiana Hotel. The Embassy plans for the upper floor include making them presentable for tenants that might be interested in utilizing the space.

ADJOURNMENT – Motion to adjourn by Mr. McElhoe; seconded by Mr. Obergfell. Meeting adjourned at 5:16 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

Adopted: 19 October 2009

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
19 October, 2009

TIME: 4:00 p.m.

PLACE: County Commissioner's Court Room, 2nd Floor, City County Building One East Main Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:03 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Steve Corona
Casey Cox
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
Gary Lyman, Brownfield Manager
John Wallace, Assistant Redevelopment Director
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet, Carson Boxberger

OTHERS PRESENT: None

ALLOWANCE OF CLAIMS: Motion to allow Claims of July 2009 and August 2009 by Mr. McElhoe; seconded by Mr. Cox. Motion approved unanimously

APPROVAL OF MINUTES: Motion to approve Minutes of 25 August Special Meeting by Ms. Wire; seconded by Mr. McElhoe. Motion carried without further discussion.

NEW BUSINESS

Resolution 2009-56

Ratifying and approving Change Order #5 and #6 to a contract with Fleming Excavating for the Harrison Square Baseball Stadium mass excavation and utilities package

Mr. Lindsay noted that this Resolution closes out the Contract, including allowances, their preparation work for opening day, and miscellaneous work at the end of the project. The total of the combined Change Orders is \$31,556.⁴⁶.

Mr. Guerin suggested that all Change Orders be presented and a vote would be taken after all Change Orders have been discussed.

Resolution 2009-57

Approving Change Order #4R to a contract with A. Hattersley & Sons for Bid Package #15 (Plumbing, Mechanical and Sheet Metal) for the Harrison Square Baseball Stadium project

Mr. Lindsay reminded the Commission Members that Hattersley is the Mechanical contractor for the project. The Change Order relates to a variety of additions and deductions totaling \$27,232.⁰⁰. Much of the work relates to equipment hook-up and the closing of allowances.

Resolution 2009-58

Approving Change Order #4 to a contract with Schenkel & Sons for Bid Package #8 (General Construction) for the Harrison Square Baseball Stadium project

Mr. Lindsay stated this Change Order is for \$9,100.⁰⁰. The work included interior work done after Opening Day.

Resolution 2009-59

Approving Change Order #2 to a contract with Almet, Inc. for Bid Package #5 (Structural Steel) for the Harrison Square Baseball Stadium project

Mr. Lindsay noted this Change Order reduces Almet's allowance to \$0.⁰⁰. The Change Order is a deduct to the contract in the amount of \$4,225.⁰⁰.

Resolution 2009-61 (Other Business)

Approving Change Order #5R2 to a contract with Hamilton Hunter Builders, Inc. for Bid Package #20 (Streetscape, Entry Plaza and Public Park) for the Harrison Square Baseball Stadium project

Mr. Lindsay explained that this negative Change Order will deduct \$57,134.⁸⁷ from Hamilton Hunter's contract. This deduct includes the close out of allowances, finish work, and preparation for Opening Day and beyond. Mr. Cox inquired if any of the contracts exceeded the limitation set by the State Board of Accounts for Change Orders. Mr. Wernet answered that within the limits set by the Change Order Statute and the way this project transpired, there is an argument that could be made that the 20% limit is for the project as a whole. He noted that a letter might be sent to the State Board of Accounts delineating each contract and the associated Change Orders. Mr. Wernet feels comfortable that the project is within the parameters of the Change Order Statute. A discussion of retainage and timing ensued. Mr. Guerin asked who the contact is for warranty issues for the Ballpark and Garage. Mr. Leatherman responded that he and staff, including the TinCaps staff, are continually assessing issues as they arise. Mr. Wernet noted that the Redevelopment Commission would be the entity to pursue warranties because the Commission issued the contracts.

Motion to approve Resolutions 2009-56, Resolution 2009-57, Resolution 2009-58, Resolution 2009-59, and Resolution 2009-61 (Other Business) by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2009-60

Approving a Disposition Value for real estate located adjacent to the Jefferson/Illinois Economic Development Area, as amended

Mr. Lindsay explained that this Resolution considers the two preliminary estimates of value for the approximate 2.97 acre tract on the west side of the former Dimension Ford site. The average of the two appraisals is \$320,000.⁰⁰. The appraisal value constitutes the minimum offering price that the Redevelopment Commission can ask for that parcel, as-is, with the building. Approval of this Resolution allows Staff to prepare an Offering Sheet and proceed with the offering process per Indiana Code. The Offering would include a reasonable time for respondents to make an offer on the property after the offering is made public. A key component would be the responder's development plan for the site so that it is consistent with the Illinois Jefferson Economic Development Area plan, as amended. If there are no accepted bids, the Commission can wait thirty days and negotiate with anyone. After the 30-day waiting period and before a decision to sell, the highest and best use of the property will be determined. Because the parcel is located in a floodway, there are limitations regarding what improvements can be made to the land and what improvements can be made to the existing building. A discussion of the topography of the parcel ensued. Motion to approve by Ms. Wire; seconded by Mr. Cox. Motion carried without further discussion.

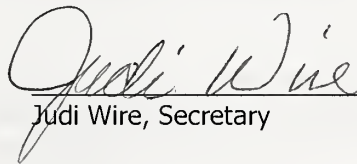
OTHER BUSINESS

- **Harrison Mixed Use Project** – Barry Real Estate was in Fort Wayne last week to meet with the people who have put money down for the condos. They also met with a couple of potential businesses who have expressed an interest in both office and retail space. They also met with some developers that have indicated they would like to partner with Barry on a mixed-use project. Barry Real Estate left town very pleased about the continuing negotiations with one significant retail tenant. The most likely scenario would be a mixed-use development with retail on the first floor and office and condo space on another two floors. They are still working through the leases so they can get financing in place. They continue to search for and work leads.
- **Superior Street Row** – Mr. Leatherman explained that the Memorandum of Understanding that was signed by both parties places the Redevelopment Commission squarely behind making the land available for an nominal amount in exchange for the developer's demonstration that their financing is in place and that they can follow through with constructing a 8,000 square foot footprint, four-story building. One of the challenges is that the building site is in a floodway. The Memorandum of Understanding made it clear that the developers were to work with regulators to understand what their responsibilities are when building on that site. Mr. Leatherman told Hartland that if moving the building to the east made the construction easier, the Redevelopment Commission would consider that. It looks like there can be only this one phase of the project on the site. Anymore development would force the City to build a parking structure because of commitments to Headwaters Park and Club Soda. The next move is up to Hartland Development. When they have their plans in place with the proper permits, the City would contribute some funds for infrastructure improvements. They were also granted some CReED Tax Credits from the State. Mr. Lindsay noted that Hartland Development is conducting the extensive survey that they need prior to any construction and that survey will help determine the exact development plan for this project. Part of the MOU, is that those expenses for the survey would be reimbursed to Hartland Development at Closing. The Redevelopment Commission will invite them to make a presentation to the Commission when they have their financing in place.

- **HubCap Express** – Staff has applied for a \$200,000.⁰⁰ grant to continue the remediation work on the site. There will be continued sampling on the site for next year.
- **Indiana Association of Landscape Architects** – Mr. Leatherman was asked by Kevin McCrory of LandPlan Group to accompany him to Indianapolis to jointly receive an award for the Landscape Design of Harrison Square. That award will be added to the Governor's Award for Environmental Excellence at Harrison Square and an award for the Execution of the Blueprint + Plan. The Harrison Square project might also receive recognition from the people that evaluate new baseball stadiums.
- **Group Planning Meeting** – Mr. Guerin suggested that an extended planning meeting be considered. Mr. Leatherman suggested that a meeting in the Spring would be appropriate.
- **Intermodal Facility at Adams Center** – Next month Andi Udris of the Alliance will be at the meeting to update the Commissioners on the status of the intermodal facility at Adams Center Industrial Park.
- **Redevelopment Commission Meeting time** – City Planning Department merged with the County Department of Planning Services and they need a large room to hold their business and public meetings. The Redevelopment Commission has the Council Chambers reserved for the third Monday of each month at 4:00 p.m. for 2010, which runs through the same time period. Mr. Leatherman asked the Commissioners to consider meeting the 2nd Monday of each month to facilitate the needs of the Allen County Department of Planning Services.

ADJOURNMENT – Motion to adjourn by Ms. Wire; seconded by Mr. McElhoe. Meeting adjourned at 4:43 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

Adopted: 21 December 2009

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
21 December, 2009

TIME: 4:00 p.m.

PLACE: County Commissioner's Court Room, 2nd Floor, City County Building One East Main Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:03 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
John Wallace, Assistant Redevelopment Director
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: Rick Samak, Carson Boxberger

OTHERS PRESENT: Tim Burkhardt, Facilities Manager, Parkview Field

ALLOWANCE OF CLAIMS: Motion to allow Claims of September 2009 and October 2009 by Mr. Cox; seconded by Ms. Wire. Motion approved unanimously

APPROVAL OF MINUTES: Motion to approve Minutes of 19 October 2009 Regular Meeting by Ms. Wire; seconded by Mr. Cox. Motion carried without further discussion.

Mr. Guerin and the Redevelopment Commissioners thanked the staff of the Fort Wayne Redevelopment Commission for their commitment to the goals of the Redevelopment Commission.

Presentation by Dawn Ritchie concerning a new Greenway Trail in the Summit Park Urban Renewal Area vicinity - Ms. Ritchie stated presently there are 53 miles of existing trails in Allen County. When 2010 construction is complete, there will be a 49 mile connected corridor from western Allen County to New Haven, through Fort Wayne. She noted that one of the top trail priorities is the New York Central Railway corridor, also known as the former Fort Wayne/Jackson railway corridor. That will eventually connect with Pokagon State Park and then connect with the trails in Southern Michigan. The trail will also connect to the south with Wabash State Park in Bluffton. This trail is east of State Road 3. That trail is part of Governor Daniels' state-wide trail visionary plan. Additionally, there is an abandoned railway corridor to the west of State Road 3; that is the Grand Rapids/Indiana line that also runs through Noble and LaGrange counties. Currently the focus is on the New York Central corridor because there is funding in place to complete the trail from Lawton Park to Franke Park. There is hope that Federal Stimulus money might be available for a connecting trail from Parkview North to Solomon Farm on DuPont Road. US Railroad Vest in Indianapolis owns land west of Lima Road near Summit Park. At this time there is no money in the Trails' budget to buy that land but it is tremendous opportunity because US Railroad Vest owns most of the abandoned railway from Washington Center Road to Wallen Road and the owner is willing to sell it. Ms. Ritchie has talked to Mr. Leatherman about the possibility of the Redevelopment Commission buying the property and holding it for five to ten years for the trail that is envisioned there. This is an opportunity to deal with one property owner, as opposed to the several that might buy a piece of the property from US Railroad Vest. There are two gaps in the corridor and the Trails Manager would work with the property owners to acquire the land. Ms. Ritchie described the trails system in Fort Wayne. Mr. Leatherman stated that it would be appropriate for the Redevelopment Commission to assist the Trails System in acquiring some of the land that is adjacent to Summit Park after a thorough title search.

NEW BUSINESS

Resolution 2009-62

Approving an expenditure for concrete sealer at Parkview Field

Mr. Leatherman noted that last week the Parkview Field Advisory Board met. The main agenda item was the discussion of improvements to be made to the Harrison Square Stadium. At that time, Mr. Freier, owner of the Tincaps, presented a list of improvements that he felt should be made. There were two categories improvements: 4 items to be paid by the City and 90 items that will be paid by Hardball Capital. The estimated cost of the 90 items was between \$250,000.⁰⁰ and \$300,000.⁰⁰ and

includes such items as additional picnic tables, monitors for the concession stands, rewiring televisions and cameras. The items that the City might pay for are items that were value-engineered out the original construction contracts or part of the long-term maintenance of the Stadium. The Parkview Field Advisory Board heard explanations of the items. One City-paid item was \$22,500.⁰⁰ for rough-ins for the fittings in the Conference Center to aid with food service for events happening there; that item was deferred by the Board pending research about the energy costs and the cash flow that might be generated by the groups using the facility. The second item was \$2,900.⁰⁰ for lights in the Amphitheater to better light the splash pad. There was no decision made because there will be input from the Parks Department and the Park Board. The third item was expanding the wi-fi connectivity in the Stadium. Pat Roller felt that more research needed to be conducted concerning the \$13,500.⁰⁰ cost of the connections and a determination that the cost is the best available to do it. The Parkview Field Advisory Board unanimously approved spending \$74,000.⁰⁰ to coat the concourse from Foul Pole to Foul Pole around Home Plate. The porous nature of the concrete on the concourse is extremely difficult to keep clean and food and grease have been seeping into the concrete. This will not only seal the concrete from those types of stains but will help to preserve it. Seven to ten years is the estimated life of the sealer. The sealer will be close to concrete color and have texture to prevent slipping. There are cosmetic cracks in the concrete and the sealer will also fill in those. It would be installed in March by a local contractor. There were multiple bids solicited. Mr. Burkhardt noted that this material has been used in multiple stadiums throughout the US, including Dallas Cowboys and Arizona Cardinals Stadiums. Mr. Burkhardt also noted that if spills are allowed to stand for more than an hour, they are almost impossible to remove. In ten years, the top coat of the two-part coating would be repainted. A discussion of the long-term maintenance fund and the bidding process ensued. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2009-63

Approving the renewal application for and owning of an Alcoholic Beverage Permit for Harrison Square

Mr. Leatherman stated that one year ago, the Redevelopment Commission applied for an Alcoholic Beverage Permit. At that time Staff and Legal Counsel participated in the inspections and public hearings necessary to complete the application process. The renewal amount is \$1,000.00.⁰⁰ for 2010. There are some new requirements concerning service training for the workers at the Stadium. Mr. Leatherman is currently working with Andy Boxberger to make sure the workers are in compliance with this requirement. A discussion of the Redevelopment Authority's power over the license and the power of the Redevelopment Commission, as Agent for the Authority ensued. Mr. Cox asked that Mr. Wernet research if the Redevelopment Commission is owed consideration because the City bought the license and the Stadium Management Agreement states that Hardball Capital would expend the funds to purchase the alcoholic beverage permit. Motion to approve by Mr. McElhoe; seconded by Ms. Wire; Mr. Cox opposed. Motion carried without further discussion.

Resolution 2009-64

Approving a change in management of the Harrison Square Garage

Mr. Leatherman noted that in March the decision was made to hire Harding & Dahm tentatively as manager of the Harrison Square Garage without going through the full RFP process. Harding & Dahm amended their contract for Management of other City garages to include the Harrison Square Garage for a monetary consideration. They understood that later the Redevelopment Commission would complete an RFP process for the Garage management. There were four bidders to the RFP, three were responsive and demonstrated the experience to perform. After evaluation of the RFP by staff, the contract was awarded to Light & Breuning. The projected saving for the year from the former management to the new management is approximately \$30,000.⁰⁰. Light & Breuning was familiar with the garage since they installed the equipment in the garage and had worked with staff on the planning of the garage. The contract is for one year at this time with an extension possible. Motion to approve by Mr. McElhoe; seconded by Mr. Cox. Motion carried unanimously without further discussion.

OTHER BUSINESS

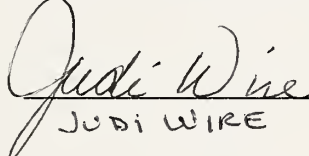
- **Hotel Construction** – Mr. Leatherman reminded the Commissioners that they had received a listing of all the contractors & suppliers to date for the hotel construction. That listing delineated that 65% of the contracts went to vendors in Allen County. White Lodging made a commitment to provide opportunities for local contracts to be awarded the contracts. The local contractor did not have to be the absolute low bidder according to the management of White Lodging, but they did have to be close enough to be competitive. Some of the out-of-town contractors also used local suppliers for their materials. The only contract that has not been bid is for landscaping and there is a 90% chance that will be awarded to a local contractor.
- **Construction on the Pedway connecting the Indiana Hotel with the Courtyard by Marriott** – There has been some discussion regarding access to and from the Indiana Hotel and the Marriott. The Marriott is very strict regarding access to their hotels by non-registered guests. All the doors that are not lobby doors require a key card for entrance including the door between the garage and south end of the hotel. White Lodging, Embassy Board, Goldstine Foundation, City of Fort Wayne and Redevelopment Commission staff met

to discuss entrance via the Pedway. One hour before and one hour after every Embassy event, the Pedway will open for anyone to go back and forth. It is in the Marriott's best interest to have those doors open to patrons of the Embassy so they can utilize the Marriott's restaurants and bars. White Lodging will also work closely with the Embassy regarding signage. Because the Pedway is located where it is, the entrance does not enter directly into the lobby but on the third floor where there are guest rooms. There was only one place where that Pedway could be located because of the historic nature of façade of the Embassy Theatre. The entrance process will be reviewed after 6 months and any necessary adjustments will be made after that time. All parties invested in the Pedway are very pleased with the way things have worked out. MSKTD has completed 95% of the engineering drawings for the Pedway. MSKTD's estimate for construction from 2 years ago was \$365,000.⁰⁰. The actual cost will not be known until the project is bid.

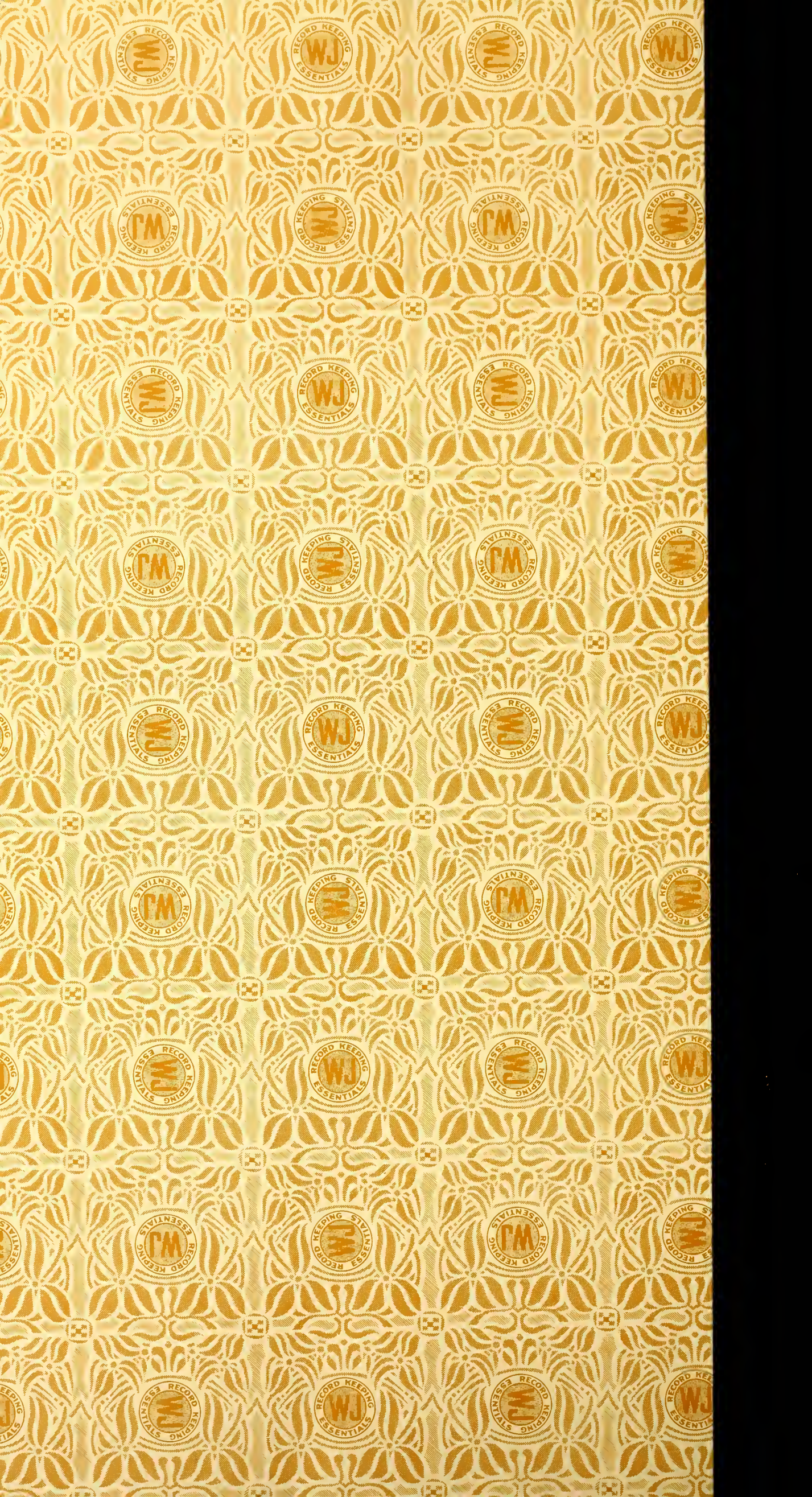
- **New Meeting Schedule** – Beginning in February, the Redevelopment Commission meetings will be the second Monday of each month in City Council Chambers. Because of the Martin Luther King Jr. Holiday, the January meeting will be Tuesday, January 19th, in Room 200, the County Commissioners' Courtroom.
- **Lighting Issues near Harrison Square** – Acorn lights will be installed on Harrison Street as the infrastructure construction continues near the Courtyard by Marriott. Both sides of Jefferson Blvd near the Stadium are lighted with Box Light-type lighting. Because box lights shine straight down, the trees to be planted will block the lighting creating dark spots on the street. Staff is proposing installing Acorn lights the entire length of Jefferson on both sides near the Stadium and the Grand Wayne Center. There will be some inconsistencies in the lighting as motorists move along Jefferson, either east or west, but this street lighting meets the overall plan for Downtown development. The Civic Center TIF Allocation Fund can also be used to pay for the Acorn lights. The lights are approximately \$8,000.⁰⁰ each for an estimated total cost of \$120,000.⁰⁰ for both sides of Jefferson.
- **Dimension Ford Proposals** – with the DNR mandate, the hole on the site has been filled. Today was the last day to submit bids for the parcel on the west side of the property. There were no responses to the \$320,000.⁰⁰ request. After 30 days, negotiations can begin with interested parties. There are parties interested in the parcel and staff will begin talking to them after the 30 day waiting period.

ADJOURNMENT – Motion to adjourn by Mr. McElhoe; seconded by Mr. Obergfell. Meeting adjourned at 5:03 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION


JUDI WIRE, Secretary

Adopted: 19 January 2009



**TO LOCK
PERMANENTLY**
← Push down spur
with a blunt
instrument. →

